

Mr. LOTT. Yes. Right.

Mr. President, I am sorry, I was inquiring about another issue, and I misunderstood the Senator's question. In view of the time that is necessary under the budget law for the budget resolution, I thought that it was more important next week that we stay focused on that. Also, because this does provide for second-degree amendments, I think Senators on both sides of the aisle would like to either adjust their first-degree amendments or prepare, thoughtfully, second-degree amendments. So I thought the best thing for us to do would be to move this and have it the pending business, and go right to it when we come back from the recess. I thought that the Senator—

Mr. DASCHLE. Would it be the majority leader's intention, therefore, to schedule votes on that first day, or would we begin the debate and have—

Mr. LOTT. Begin the debate, and have votes early on Tuesday, the 21st.

Mr. DASCHLE. The leader and I both have expressed ourselves on this bill so many times that I do not know that we need to elaborate anymore. I share the view just expressed by the majority leader that this is as good as it is going to get for both sides. We can continue to be paralyzed and in a standoff or we can find a way with which to cooperate and come to some conclusion.

I have expressed myself about my disappointment in the way in which our colleagues have been constrained, but I also recognize that the majority leader, as he has noted, is giving us far more amendments than what the Republicans are proposing. And so I think, all things considered—I know my colleagues have expressed great personal concern about this approach, but I also know that if we are ever going to resolve this matter, this is as good as it is going to get.

So I commend the leader for his diligence and commitment to resolving these matters. I have pledged to him my cooperation to see if we can get to this point. We have done so. I am relieved that at long last we may have a real opportunity, as he has noted, to talk about ways in which to address a national problem, a national challenge.

This provides a panoply of different approaches and different ideas. We feel very strongly, very excited, about many of the ideas that we have to offer. We will have that chance under this agreement. So I certainly would not object, and I encourage my colleagues to accept it, deal with it, offer amendments, and let us get on with the debate.

Mr. LOTT. Mr. President, I say again, I agree, it certainly has not been easy on either side of the aisle. Senators had issues that they felt very

strongly about. Many of them were not education related on both sides of the aisle. There will be other opportunities to do that. I think this will be a fair way for us to have an equal debate on both sides. Some of these amendments, as I indicated, may actually wind up being accepted and we may not have to go through each one of them in a second degree. I think it is fair.

Before the Chair rules, I ask unanimous consent that the agreement may be vitiated by the majority leader only at no later than 12:15 on Monday, March 30.

The PRESIDING OFFICER. Is there objection to the leader's request?

Mr. DASCHLE. Mr. President, just for the record and for clarification, as I understand it, there is a need to clarify or to—

Mr. LOTT. We had one Senator who indicated a desire to be notified and had been in the air. He is in his State, and I understand we can't talk to him for 2½ hours. And for us to just mark time until then didn't seem fair. I think it will be all right. I felt that after discussion with Senator DASCHLE, that was the only thing I could do. But I think it is fair and we should move forward with it.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, MARCH 30, 1998

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday, March 30, and immediately following the prayer, the routine requests through the morning hour be granted, and the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator THOMAS for 30 minutes, from noon until 12:30; Senator DASCHLE or his designee for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask unanimous consent that at 1 p.m. the Senate resume consideration of S. Con. Res. 86, the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. LOTT. Mr. President, I have just indicated the Senate will be in a period of morning business then for 1 hour when we come in on Monday, and then we will resume the budget resolution.

For the information of all Members, per the agreement reached during to-

day's session, of the 50 hours under the statutory limit for the budget resolution, as of Monday there will be 44 hours remaining, and as of the close of business on Monday there will be 34 hours remaining on the resolution.

There will be no rollcall votes conducted during Monday's session. However, the managers do expect amendments to be offered during that day. And the next rollcall vote will occur then on Tuesday morning at a time to be determined by the majority leader, after notification of the Democratic leader.

Therefore, Members can anticipate votes on amendments to the budget resolution on Tuesday. As always, Members will be notified as to the time of those votes. I should indicate that we will certainly find a way to have a vote at about 9:30 on Tuesday morning so we can get things moving right along.

In addition, the Senate may consider Executive Calendar or legislative business cleared by the Senate.

In regard to the balance of the week, we are expected to complete action on the budget resolution and the supplemental appropriations conference report, if available, prior to recessing for the Easter holidays. I do believe that we will be able to act on the supplemental appropriations to its final conclusion either late Tuesday night or Wednesday, giving the conferees, hopefully, time to act on the conference before we go home and to complete action on the budget resolution. We need, again, to make Members aware now that we must do those two items next week before we leave.

As a reminder, the next rollcall votes then will occur on Tuesday.

Does the Senator wish to speak further?

#### ADJOURNMENT UNTIL MONDAY, MARCH 30, 1998

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 2:53 p.m., adjourned until Monday, March 30, 1998, at 12 noon.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 27, 1998:

##### THE JUDICIARY

EDWARD F. SHEA, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON.

M. MARGARET MCKEOWN, OF WASHINGTON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

# HOUSE OF REPRESENTATIVES—Friday, March 27, 1998

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. EMERSON).

## DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 27, 1998.

I hereby designate the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
Speaker of the House of Representatives.

## PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We respond to Your love, gracious God, with words of gratitude, thoughts of praise, an attitude of thanksgiving, and hearts full of appreciation for Your marvelous gifts to us and to all people. Above all else we have been blessed with the gift of life and with that gift the great opportunities to appreciate our families, our friends and our colleagues. You have given us a moment to live in this turbulent world with times of majestic nobility and times of despair. Help us, O God, so to live our lives that we will not be satisfied with the darkness but delight in Your light and in Your will. In Your name we pray. Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Missouri (Mr. BLUNT) come forward and lead the House in the Pledge of Allegiance.

Mr. BLUNT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five 1-minutes from each side.

## SPRINGTIME BRINGS BLOSSOMS AND TAX TIME

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Madam Speaker, just look outside. The cherry blossoms are blooming, the weather is warm here, it is officially spring in our Nation's Capital. It is a glorious time. Or is it?

Let me give the American worker's vision of spring. Madam Speaker, can you say "tax time," "budding IRS audits," and "blossoming tax forms"?

In a recent survey, when given the choice between being audited by the IRS or having root canal surgery, more Americans chose root canal surgery. More and more American working men and women are fed up with being bullied by the IRS, a bureaucratic behemoth that tramples the rights of the taxpayers, the very customers the IRS is charged to serve.

Americans are completely fed up with paying thousands of dollars and spending countless hours on their tax returns only to incur abuse from the customer-unfriendly and arrogant IRS. Today, it is actually an anomaly to find anyone left in this country who can do his or her taxes.

Madam Speaker, our current Tax Code must be abolished and replaced with one that is fair, simple, and honest.

## "SHAM" CAMPAIGN FINANCE REFORM BILL PULLED FROM CONSIDERATION

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Madam Speaker, the Republican leadership had planned to bring up its sham campaign finance reform legislation today, but we learned this morning that they had pulled the bill.

Today's New York Times editorial describes the reasons for Speaker GINGRICH's retreat. It says, "In a brazen repudiation of his own promises, NEWT GINGRICH has yanked campaign finance reform from the House agenda. The Speaker's action yesterday came after a frantic but fruitless effort by his aides to round up the votes to block genuine reform legislation on the House floor. Mr. GINGRICH's allies are now reportedly plotting to reschedule consideration of reform bills next month, but only under rules requiring a two-thirds vote for approval. These

desperation tactics are an abuse of power reminiscent of conduct Mr. GINGRICH himself deplored for years."

Madam Speaker, the gentleman from Georgia (Mr. GINGRICH) tried to foist a sham bill on the Members of this House with an antiunion provision, unacceptable to the Democrats, tied to a procedural rule designed to prevent a vote on genuine reform. The Speaker's tactics clearly backfired, and I am glad that they did.

## CHRISTOPHER SIMMONS TO RECEIVE SCOUT'S MEDAL OF HONOR

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute.)

Mr. SHIMKUS. Madam Speaker, I come to the House floor to praise the heroic action of 8-year-old Christopher Simmons of Mount Vernon, Illinois. On April 6 of last year, Christopher and his younger brother Michael were helping their neighbor with some yard work when out of nowhere, a 95-pound dog attacked young Michael. Instantly, Christopher's quick intuitions led him to save his younger brother's life from the vicious jaws of the male boxer. Had it not been for Christopher's selfless and chivalrous behavior, this life-threatening situation could have resulted in tragedy.

Madam Speaker, I am honored to announce today that Christopher will be presented the distinguished Scout's Medal of Honor. His heroism is worthy of much praise and serves as a model to the American people.

## NOW IS THE TIME FOR CAMPAIGN FINANCE REFORM

(Mrs. CAPPS asked and was given permission to address the House for 1 minute.)

Mrs. CAPPS. Madam Speaker, I was hoping that we could deal with campaign finance reform this week. I come fresh from the campaign trail. Mine was a hard-fought race, too close to call even on the last day. That was just 3 weeks ago, and today I feel like a foot soldier come back from the frontlines to find that the generals do not seem to understand the battlefield.

Madam Speaker, in my race, so-called issue advocacy dominated the landscape. My opponent and I did not agree on much, but we were both dismayed at special interest outside groups with unlimited funds which interfered with our ability to communicate with voters on matters of concern to them.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



These folks will be back this fall in every contested race, and they have said that eventually candidates will be incidental in congressional races. Madam Speaker, they are talking about me and all of my colleagues. We have the responsibility in this place to return the power of the elections to the citizens of our district. We must pass bilateral, bipartisan campaign finance reform such as the Shays-Meehan bill. Our credibility depends on it. We must do it now.

#### PRESIDENT OWES THE AMERICAN PEOPLE THE TRUTH

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, this whole presidential scandal is a sad, unfortunate situation, but it will not end until Bill Clinton comes forward and tells the American people the truth.

We have heard enough from the presidential political hit men and spin doctors. It is time for Mr. Clinton to come forward so that we can put this behind us and move forward.

Madam Speaker, the presidency belongs to the American people, not to one individual. Being President is more than a privilege, it is a profound responsibility, a sacred duty. The individual who sits in the White House is less important than the honor and integrity of the institution itself.

Mr. Clinton owes it to the American people, to the proud tradition of the presidency, and to the country to come forward and tell the truth so that we can return to the Nation's business. The truth.

#### ECONOMISTS' CLAIMS OF JOB AVAILABILITY BOGGLES THE MIND

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, economists say there are jobs everywhere. Check this out: messenger singer, press clipping cut-and-paster, sandwich signboard carrier, drive-in theater specialist, dust collector, pretzel twister, pantyhose crotch specialist.

Madam Speaker, I suggest there be a new job title called "sleeper specialist," because it is evident even when these economists are working, they are sleeping on the job.

Madam Speaker, I would like to just yield back all the boxer shorts sorters and the brassiere cup molders.

Beam me up.

Madam Speaker, if these are jobs, I am a fashion leader.

#### UNFORTUNATE PASSAGE OF FOREIGN AFFAIRS CONFERENCE REPORT

(Mr. PAUL asked and was given permission to address the House for 1 minute.)

Mr. PAUL. Madam Speaker, yesterday the foreign affairs conference report was unfortunately passed without a recorded vote. For weeks, arms had been twisted because the votes were not available to pass it. This surprised some and pleased many who preferred not to be recorded on this crucial issue.

But, unfortunately, the process only adds to the cynicism that many Americans hold for the U.S. Congress. Nearly a billion dollars were appropriated for the controversial back dues to the United Nations, which for many of us was not owed.

It was argued by many right-to-life advocates that the bill was worth passing because the antiabortion language was stronger than ever and would now be codified. Unfortunately, the anti-abortion language was weaker than ever with a convenient, huge loophole for the President to continue funding countries and groups that perform and promote abortion, language now to be codified.

Events surrounding the passage of the foreign affairs conference report occurring yesterday should not make any of us proud.

#### WHAT HAPPENED TO \$250 MILLION?

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Madam Speaker, yesterday the Republican majority brought together three committees, the Committee on the Budget, the Committee on Appropriations, and the Committee on Resources, to hear the General Accounting Office and the Inspector General tell us that the Forest Service had lost and could not find \$250 million.

Later today, the Republican majority will ask this Congress to give the Forest Service another \$250 million to go back to the old, discredited policies that gave us this kind of devastation of our national forests: clear-cuts and ravages of riparian watersheds that will not be corrected, will not be brought back for decades and decades after they cut the logs.

Madam Speaker, we must stop the Smith forest bill because it is not about forest health, it is about a waste of the taxpayers' money and it is about devastation of our national environment, of our national forests. We should not give \$250 million more to an agency that cannot account and cannot find and cannot tell us how they spent the \$250 million we gave them last year.

#### CONGRESS SHOULD SPEND HIGHWAY TRUST FUNDS ON TRANSPORTATION NEEDS

(Mr. BLUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUNT. Madam Speaker, next week we have a chance to give taxpayers some tax relief simply by spending their tax dollars the way they were supposed to be spent.

We are going to be dealing in the House with a highway bill that has the potential to take the highway trust fund off budget so that it can never again be used to mask the size of the deficit. In other words, this highway bill enable us to spend highway money to really help the infrastructure and the transportation needs of America.

If we are going to maintain a highway trust fund and collect tax revenues for it, then we should spend that money for transportation needs. If we can't do that, or won't do that, then we should eliminate the gas tax and the trust fund altogether.

Many of our colleagues think we ought to continue to "borrow" from the highway trust fund to make the budget look better than it really is. We have a chance to say no to that kind of "sleight of hand" next week. Spending money for the purpose we tell taxpayers we're collecting it for is one of the kinds of tax relief that taxpayers will appreciate. One of our priorities should be "truth in taxing."

#### IN RECOGNITION OF STUDENT MEMBERS OF THE "KICK BUTTS CONNECTICUT" CAMPAIGN TO END YOUTH SMOKING

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Madam Speaker, I rise today to pay tribute to a great bunch of kids who are sitting in the gallery this morning with their parents and their advisers. These students are all members of the "Kick Butts Connecticut" campaign, which I started 2 years ago to help combat smoking in my home State. They are true heroes, acting as antismoking peer counselors for school children.

Madam Speaker, I do not have time in 1 minute to talk about all their many accomplishments, but I would like to acknowledge them each by name: Rhiann Hinckley from Memorial Middle School in Middlefield; Emily Parmenter also from Memorial Middle School in Middlefield; Josh Zelem from Amity Junior High School in Bethany; Lindsey Norman from Amity Junior High School in Orange; and Chika Anekwe from Wooster Middle School in Stratford. Two additional students who made the trip down to Washington but have already returned to Connecticut:

Dan Lerman from Amity Junior High in Bethany and Shannon Mason from Hamden Country Day School in Hamden, CT.

Madam Speaker, I salute these young people for their creative efforts, for their hard work, and for their dedication in the fight to reduce youth smoking. Every single day they are saving children's lives and we are all very grateful and we are all very proud.

#### FOREST RECOVERY AND PROTECTION ACT OF 1998

The SPEAKER pro tempore. Pursuant to House resolution 394 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2515.

□ 1015

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2515) to address declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes, with Mr. COLLINS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) each will control 30 minutes.

The Chair recognizes the gentleman from Oregon (Mr. SMITH).

Mr. SMITH of Oregon. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Forest Recovery and Protection Act of 1998 is the result of some 14 months of listening and learning and fact-gathering. It is the result of seven hearings in which we heard from a broad array of people across this Nation, including scientists, academics, State foresters, professional associates, environmental groups, wildlife organizations, citizens, community leaders, elected officials, organized labor, the forest products industry and the administration.

Beyond the hearing process, the committee has worked exhaustively with minority Members, northeastern Republicans, hopefully all Members of this body to refine the bill to broaden support for what we believe is a very necessary and a very reasonable initiative. We extended a hand and we worked with those who have expressed concerns with the bill and we were

willing to work in good faith to find solutions.

I am delighted to stand here today and to tell my colleagues that because we have collaborated with these concerned parties we have a stronger bill and one that truly represents, we believe, diverse interests. Here are just a few of the groups, by the way, that support this bill: the AFL-CIO, the United Brotherhood of Carpenters and Joiners of America, the National Association of Counties, the Society of American Foresters, the National Association of State Foresters, the National Association of Professional Forestry Schools.

But despite our best efforts to include all interests in crafting this legislation, there are those of course who have elected to remain outside the process rather than coming to the table to seek solutions. Unfortunately, because they have not been engaged, there are some misunderstandings about this bill, which I would like to clear up.

There are a number of people who are talking about this bill, about what it is not. I would like to explain to them about what the bill does. It is a five-year pilot project providing a timely and organized and scientific strategy to address the chronic conditions of our national forests. The bill establishes an independent scientific panel through the National Academy of Sciences to recommend to the Secretary of Agriculture the standards and criteria that should be used to identify which national forests are in the worst shape and where restoration efforts are needed most.

The public then provides input on the standards and criteria which the Secretary publishes. Based upon the standards and criteria, the Secretary then determines which forests have the greatest restoration needs and allocates amounts to those forests. On-the-ground forest managers then begin planning projects to restore degraded and deteriorating forest resources.

I have been hearing information to the contrary, so I want to make this clear to everyone in this assembly. These projects must comply with all applicable environmental laws. This legislation does not in any way limit public participation under existing laws and regulations. More than that, a full, open, public process must be conducted by all recovery projects. All project planning, including analysis of environmental impacts, must comply with NEPA, the National Environmental Policy Act. Recovery projects must be consistent with land and resource management plans, plans that have been analyzed by NEPA and have been deemed consistent with environmental laws and regulations. There is no short-circuiting, circumventing or limiting of laws. Public process or judicial review anywhere in this bill are always protected.

So those who oppose 2515, the original bill, must oppose current environmental laws and regulations. Those who oppose this bill must oppose restoring fish habitat. They must oppose reducing the threat of epidemic levels of insects and disease. They must oppose replanting trees and stabilizing slopes after catastrophic events, and they must oppose reducing the risk of wildfire.

Those who oppose this bill say the forest health crisis is a myth, that forest health is an excuse to log our national forests. Of course, not every acre in the National Forest is degraded or deteriorating, but over the last decade an enormous body of scientific literature has been generated about our degraded, deteriorating forest resources. Scientists agree that our forests are "outside the historic range of variability," and that active management is necessary in some areas to begin to return forests to their historic conditions.

The Chief of the Forest Service has said that there are some 40 million acres of national forest at unacceptable risk of destruction by catastrophic fire, and listed these sources: the Integrated Scientific Assessment for Ecosystem Management in the Interior Columbia Basin says, "We found that forests and ecosystems have become more susceptible to severe fire and outbreaks of insects and disease"; the Southern Appalachian Assessment states, "Several tree species in the Southern Appalachians are at risk of extinction or significant genetic loss because of exotic pests" and "lack of active management in other stands has led to development of dense understories, and to the senescence of overstory trees of some species"; the Sierra Nevada Ecosystem Project states, "Fire protection for the last half century has provided for the development of continuous dense forest stands which are in need of thinning to accelerate growth, reduce fire hazard, provide for more mid-successional forest habitat and yield of usable wood."

Well, there is no question about it in my mind and all others that this is an essential bill. "Active management" is a term that is frequently distorted. Active management could be creating in-stream structure for fish habitat. It could be planting native grasses to stabilize the stream bed; it could be planting trees near a stream to provide shade to reduce stream temperatures; and yes, it could also be cutting trees to prevent the spread of insects and disease or reduce the risk of catastrophic wildfire.

It seems to me, Mr. Chairman, that the Forest Service is in some state of catatonic immobilization in that the direction; and the goals of the Forest Service are somehow hidden, and direction is essential, which certainly this legislation does. The Forest Service, I believe, needs emergency care here to



help them direct resources in this Nation to protect this very valuable resource.

On-the-ground managers are confused and frustrated with their missions. While environmental laws, no question about it, have shut down logging, particularly in the Pacific Northwest, please give us an opportunity to nurture and care for this resource. To let it burn is huge waste; to let it burn means we lost all the environmental issues that we all deem important; we lost stream bank protection, we lost the resource, we lost wildlife, we lost all of those important issues to all of us in the West for some 250 years.

Will this legislation answer all the questions? Of course not. This is a moderate, meager, bipartisan effort to answer some of the problems and some of the forests that are in the worst condition in this Nation. We think that this will give the Forest Service the direction necessary and again, I reiterate, abide by every environmental law in this land.

Mr. Chairman, I reserve the balance of my time.

Mr. STENHOLM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 2515, the Forest Recovery and Protection Act. H.R. 2515 creates a 5-year national program that requires the Secretary of Agriculture to identify, prioritize, and conduct recovery projects. This program includes public notice and comment before any money is allocated to the local forests for recovery projects. Once they reach the local level, all projects will go through the appropriate environmental review before any work is performed on the ground.

□ 1030

In the past, forest fires burned timber stands on a regular basis, purging the forest floor of the sickly trees and other undergrowth that fuel catastrophic wildfires and hinder the development of mature disease resistant trees. Throughout the 20th century, Federal agencies have worked to extinguish virtually every fire. This is for good reason, as uncontrolled fires threaten lives and property.

However, allowing forest overgrowth to accumulate contributes to the current tinderbox conditions and reduces habitat for deer and other wildlife. Not fighting fires, however, is not the cure—all some assume. With so much accumulated fuel, prescribed burning, intentionally setting fires or allowing naturally occurring ones to burn is a real risk. All too often fires intended to rehabilitate a forest grow outside their boundaries, destroying millions of acres of healthy green trees as well as wildlife, watersheds and other critical parts of the ecological system.

In short, fires reduce the number of uses our forest lands with support. Cur-

rent moves toward hands-off policies which are applauded by extremists posing as environmentalists fail on several levels, including preventing catastrophic natural events like uncontrolled wildfire and insect infestations. Policies based on neglect also prevent us from protecting a full range of threatened and endangered species and reducing atmospheric carbon dioxide emissions caused by fires. By abandoning active forest management, including timber harvesting in our national forests, we are condemning them to a cycle of unnaturally overcrowded, unhealthy tree stands which serve as poor habitat for native species and deprive Americans of quality wood products and a vibrant rural economy.

Proper management of our forests is as important to Members from southeastern districts as it is to those from the Pacific northwest. My district, the Sixth District of Virginia, is home to large portions of the George Washington and Thomas Jefferson National Forests. Teams of natural resource specialists, including the Forest Service, EPA, the Appalachian Regional Commission, and the Fish and Wildlife Service, assessed the health of forest lands, including the George Washington and Thomas Jefferson National Forests, in the Southern Appalachian Assessment. These experts noted the following. Several tree species in the southern Appalachians are at risk of extinction or significant genetic loss because of exotic pests. Lack of active management in other stands has led to the development of dense understories and to the senescence of overstory trees of some species. That is the Southern Appalachian Assessment.

By not managing our forests, we are in fact mismanaging them. I urge all Members to support H.R. 2515, the Forest Recovery and Protection Act. This bill abides by all applicable environmental laws and forest plans, creates a 5-year program to address forest health, creates a scientific advisory panel to help administer the national program, requires audits of the program and ensures that foresters have the access to the best and most current data. Most importantly, it enables the Secretary immediately to conduct forest health projects in those areas where there is sufficient science to move quickly. I strongly urge passage of this legislation.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. FURSE).

Ms. FURSE. I thank the gentleman for yielding me this time. Mr. Chairman, I would like to talk today about this bill, the so-called Forest Recovery and Protection Act. We are going to hear a great deal about forest health today, so I want my colleagues to know that one of the reasons our forests are so unhealthy is because of clear-cutting. This bill is a straightforward at-

tack on natural resources. It is an attack under the guise of forest health.

I would like my colleagues to think back to those days in the last Congress when we passed the salvage logging rider. Do you remember it? Well, I do. I remember the piece that 60 Minutes did revealing how bad policy led to the worst environmental mistakes of this decade. Let us not repeat the mistakes of the salvage rider. The bill before us would disrupt local partnerships, local community efforts to restore sensitive habitat. This bill is a Washington, DC, answer, not a local answer. We have people working together to solve these problems and this bill will disrupt it.

We have heard talk about the hearings. My Governor, the Governor of Oregon stressed that active management in our national forests should avoid areas such as roadless areas, old growth stands, fragile watersheds and sensitive fish habitat. H.R. 2515 would not avoid those areas. My Governor has given us good advice. Let us follow it. This bill is based on the premise that these forests are unhealthy and that logging is the cure. I would again point out this picture. Logging created the problems, in some places clear-cutting. Over 100 scientists oppose this bill. They say that increased logging will not cure a forest's ills.

I join with many groups today opposing this bill. The League of Conservation Voters has said that they will score this bill. The President has sent us a message that he will consider vetoing this bill. The other people who are opposing the bill are Taxpayers for Common Sense, the Presbyterian Church, the Methodist Church and the League of Conservation Voters. Join them, my friends, join them and vote no on H.R. 2515. This is a bad idea.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. BARRETT).

Mr. BARRETT of Nebraska. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise to support the Forest Recovery and Protection Act and to praise the gentleman from Oregon (Mr. SMITH) for his dedication to forest health issues and things that have bedeviled Congress for many years. I also want to commend the gentleman from Texas (Mr. STENHOLM) for his willingness to work with our chairman and for his leadership on this specific issue. Many of my colleagues perhaps do not realize that Nebraska is the home of a national forest. Fortunately, the Nebraska National Forest does not have any major health problems. Neither is it threatened by destructive fires or infestation of disease and insects. However, I know that many of our forests in this country are at code red levels. According to the U.S. Forest Service's own analysis, between 35 and 40 million of the 191 million acres it manages is, quote, at an

unacceptable risk of destruction by catastrophic wildfire.

I realize that some of my colleagues oppose this bill. I wonder if they would oppose it, however, if the town in their district had an out-of-control fire racing right toward that community. We are also going to hear many reasons to support the bill throughout the debate.

Mr. Chairman, I would like to reiterate a few that I think are critical. This bill is a timely solution to a very real problem. It requires all decisions made under a forest recovery plan to comply with all Federal laws. It uses an independent panel of forest scientists to advise the Forest Service on which forests are at greater risk. And it requires the Forest Service to be accountable for its performance. The bill has undergone numerous changes, all in an attempt to address specific Members' concerns.

Again I praise the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) for their tenacity and willingness to work with their colleagues. I think it is time to accept the bill, Mr. Chairman. I urge Members to support it. I think it is a responsible solution to a very serious problem that our forests face.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, today I rise in strong support of H.R. 2515, the Forest Recovery and Protection Act. This bill is the product of seven hearings in the Agriculture Committee on forest conditions in the United States, which included witnesses from the administration, scientists, academics, lawmakers, state foresters, land managers, local elected officials, environmentalists and the forest products industry. This bill provides a bipartisan plan for restoring and protecting damaged forest resources in all regions of the country. H.R. 2515 requires priority recovery of forest resources at greatest risk using prescribed burning, insect disease control, riparian and other habitat improvement, reforestation and other appropriate recovery activities. It operates in strict compliance with all environmental laws and forest plans and prohibits entry into wilderness, roadless areas, old growth stands or riparian areas and other areas currently protected by law, court order or forest plan.

Additionally, this bill establishes an independent interdisciplinary panel of scientists to advise the Secretary on how to identify and prioritize appropriate reforestation priorities for forest resources that are either damaged or at risk. It gives priority to recovery projects conducted in areas where thorough scientific assessments have been completed. I think the Forest Recovery and Protection Act is a sensible bipartisan approach to improving and pro-

tecting our country's most endangered forest resources. I urge my colleagues to support H.R. 2515.

Mr. SMITH of Oregon. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Chairman, I rise to speak in strong support of the Forest Recovery and Protection Act. I have the great privilege to represent a district in northern California that includes all of or parts of nine national forests. Historically, these forests were filled with stands of large trees. The forest floors were less dense and were often naturally thinned out by fires that would clean out dense underbrush and would leave the big trees to grow even larger. However, because of decades of aggressive fire suppression and modern hands-off management practices, these forests have grown out of hand, creating an almost overwhelming threat of fire.

According to Forest Service estimates, approximately 40 million acres of the agency's lands are at a high risk for catastrophic fire. The cause of this fire threat is an unnatural accumulation of vegetation and small trees on western forest floors. The U.S. Forest Service estimates that the forests are 82 percent denser than in 1928. Dense undergrowth combined with increasingly taller layers of intermediate trees has turned western forests into deadly fire time bombs. Under these adverse conditions, fire quickly climbs up dense tree growth like a ladder until it tops out at the uppermost or crown level of the forest and races out of control as a catastrophic fire. Because of its high speed and intense heat, a crown fire has the capability of leaving an almost sterile environment in its wake with almost no vegetation, wildlife or habitat left behind. We must then ask ourselves, what habitat do we have left if everything in the forest burns?

Mr. Chairman, the legislation of the gentleman from Oregon (Mr. SMITH) takes a much needed first step in the right direction toward prioritizing efforts to restore forest health. This legislation prioritizes areas at greatest risk of destruction while working in compliance with all environmental laws and forest plans. It establishes an independent scientific panel to ensure that all activities are applied in a way that improves forest health using the best available science, not politics. It establishes agency accountability for on-the-ground results, and ensures fiscal responsibility by requiring annual reports to Congress, and creates independent audits of agency performance. But most importantly, this legislation creates incentives for the Forest Service to make timely, efficient management decisions before our forests burn up.

Mr. Chairman, I urge my colleagues to vote yes on the Forest Recovery and Protection Act.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MILLER).

Mr. MILLER of California. I thank the gentleman for yielding me this time. Mr. Chairman, I would hope that we would reject this legislation. Yesterday we sat in the Committee on Resources along with our colleagues from the Committee on the Budget and the Committee on Appropriations as members sat stunned when they were told of the deficiencies in the accounting system of the off-budget funds in the Forest Service. We were told that it is some \$215 million that the Forest Service could not identify how it spends. We were told by the IG of the problems of the off-budget funds. Yet this legislation now comes along and takes money from one off-budget fund to put it into another off-budget fund. It takes it from a fund that is trying to restore the forests from all of the damages of roads and constructions and logging that has taken place in the past and now puts that in to promote salvage and thinning, a proposal that this Congress and the administration has turned down time and again. In this legislation they removed the words "salvage" because they knew they could not stand by them, but they went right back to the legislation and authorized the very same practices.

□ 1045

It is those very same practices, both financial and forestry practices, that have caused the Secretary of Agriculture to say that he would recommend to the President a veto of this legislation. It is those very same practices, both financial and forestry practices, that tell the League of Conservation Voters that they will score this vote as an anti-environmental vote.

This bill is not necessary. This bill engages us in the same old practices that have brought us the disaster on America's forests. Time and again our committee and the Committee on Agriculture and others have listened to the scientists that told us the forests that are in the most trouble, the forests that have suffered the most damage, are those forests that have already gone through the logging. The healthiest forests, the best forests in this country, are those that have not gone through the logging, and yet this legislation would put us back into the same old tired discredited forest practices.

We should not do that in this legislation, my colleagues. We should understand that and reject this legislation.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I rise in opposition to this bill. I want to begin, though, by commending the chairman, the gentleman from Oregon (Mr. SMITH). As always, he has proven to be open to negotiation and has indeed made changes that do improve the



bill. But I have come to the reluctant conclusion that this bill is simply too flawed to move forward. The bill just reaches more broadly than is necessary to address the forest health problems it is ostensibly designed to address.

Mr. Chairman, if the goal is to solve fire and infestation problems, we ought just to give the Forest Service additional funding and require them to begin planning projects swiftly under current rules and regulations. That is the approach we took with the Quincy Library bill which I helped negotiate, a bill which passed the House with only one dissenting vote. Instead, this bill creates an elaborate new program that could turn out to be just another logging and road building program in disguise.

Why are we so concerned about potential abuse of this program? Are we just suffering some sort of paranoia? The answer is clearly no. The salvage rider proved that programs that are supposedly designed to deal with forest health can turn out to be uncontrolled large-scale timbering programs that have nothing to do with forest health.

I am also concerned about moving ahead with bills that purport to help people but that have no chance of becoming law. I thought it was an axiom of legislating that a bill cannot help anyone if it does not become law. The administration has said in no uncertain terms that this bill would be vetoed. Every single environmental group, without exception, vehemently opposes this bill. If we are serious about solving problems on the ground, we ought to go back to the drawing board and come up with a signable bill.

I have at the ready an amendment to ensure that this program created by the bill cannot be used as an excuse to build new forest roads, and I will strongly oppose any efforts to weaken the roads language that is already in the bill. I may also offer a substitute that would turn this into a signable bill with just a few changes. I think it is unfortunate that we are spending time voting on a bill that will be vetoed instead of passing a bill that will actually address forest health.

Mr. STENHOLM. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I thank the gentleman for yielding this time to me, and I thank him for his leadership on this bill along with the gentleman from Oregon (Mr. SMITH) for their leadership on this Forest Recovery and Protection Act, which really is a good bill that is used to address the problems of forest health in an environmentally sensitive and scientifically sound manner.

Many opponents here have argued that the bill is not needed because the problem with our forest health is just a myth. Does that mean that millions of acres are being destroyed by mythical

forest fires and outbreaks of disease? I wish someone could tell me.

Know that in northern Michigan our forests are not dying from disease, and, no, our homes were not destroyed in the wildfire. It was all just a dream conjured up by the politicians in Washington. It is not. It is a reality.

The fact is that our forests are in trouble, and it is not just a problem with the forests out west. In the Great Lakes, in my district, about half of the 90 million acres of jack pine in the Hiawatha National Forest alone are highly susceptible and are being destroyed by jack pine budworm infestation.

Furthermore, a letter from the Forest Service to my office dated April 23, 1997, states gypsy moth infestations continue to be a problem for the people of the State of Michigan. In fact as we are debating here today, the gypsy moths are destroying our forests in northern Michigan.

Severe infestations can and are causing extensive damage and creating catastrophic fire conditions. In Michigan approximately 600 wild forest fires are reported each year. Michigan's Stephan Bridge fire in 1990, just 1990, destroyed 76 homes and 125 buildings in just one afternoon.

Mr. Chairman, these are real problems facing our forests, not myth. The Forest Recovery and Protection Act is a sensible approach to improving forest health. The bill adheres to sound scientific principles, is subject to all current environmental laws and land management plans, and leaves the decision with local communities by involving Federal and State foresters and local citizens in a process of identifying the risk forest areas.

I thank the gentleman from Texas (Mr. STENHOLM) and the gentleman from Oregon (Mr. SMITH) for bringing forth this legislation, and I urge all my colleagues to support this very important bill.

Mr. SMITH of Oregon. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. GILCREST) who has been an integral part of the negotiation on this bill, and I thank him for that.

Mr. GILCREST. Mr. Chairman, I thank the gentleman from Oregon for yielding this time to me, and I want to emphasize the word "gentleman" when I say the gentleman from Oregon, with capital letters.

Quickly, in response to one of my earlier colleagues, I have drawn a conclusion that this bill represents the best of the Quincy Library bill. The Quincy Library bill brought this House together in understanding the difficulties of managing the Nation's forests, and we passed that bill. I think this bill does the same thing.

Very quickly, I would like us to look at the big picture here. This country was founded on four very positive things: democracy, character, an end-

less frontier, and an abundance of natural resources. Well, our resources are diminishing quickly. Our frontier is gone. Basically what we have left to manage our resources for future generations, yes, hundreds of years in the future, is democracy and character. We have to rely on democracy and character.

What is the next frontier? It is an intellectual frontier. An intellectual frontier means we have to put aside rancorous debate, personal prejudices, sit together and discuss these issues in as intelligent a manner as is possible so that we can manage those few remaining resources for generations to come.

Can we sustain logging, mimic nature and protect biological diversity? Yes, we can. Do we have the knowhow? Yes, we do. How do we implement that knowhow? The first step to implementing that particular skill is through this bill. Is this bill based on the best available scientific data? Absolutely without question. Does this bill protect all environmental regulations? Absolutely without question.

What are some of the things this bill does? It goes in and finds those areas of the riparian places in our national forests that are damaged, and we will fix them. Soil stabilization, water quality improvements, thinning, habitat improvement, et cetera, et cetera et cetera; this bill does that.

The chief of the Forest Service said 35 to 40 million acres are in danger of catastrophic fire, soil erosion, habitat loss. So what do we do? Do we come up to the plate and respond? The answer is yes.

This is not about forest roads, it is not about commercial logging, it is not about clear-cutting. This is about funding a recovery program for our Nation's forests.

Is this bill more positive than negative? That is the question. More than we can ever know at this point, this bill is positive, and I urge my colleagues to vote yes.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Chairman, I rise in opposition to the bill. This measure is predicated on a false premise, and that is that there is a crisis. The fact of the matter is that the problems that persist in our national forests today have persisted for some time, and the fact is that as the forest chief had pointed out in his testimony before the committees that had hearings on this, that this sort of concept of cutting it to save it is inappropriate and ineffective.

The causes of what today is stated as forest health are many. Part of it is the fact that we have high-graded and put inroads and in fact suppressed fires in many cases, and then there has been some fuel buildup. That is not going to be solved by cutting down trees in the

selected areas. In fact, many other problems have persisted in terms of urban interface where people have built, in the forest safety questions persist. Cut down one area, you have fire in another. So this bill and harvest clearly is not the answer.

No, the Forest Service has the tools to deal with forest health today. The fact is, as I said, this issue has built up over many decades. A 5-year program is hardly even a start. The fact is that this has to be premised and placed in the responsibilities today of the total Forest Service, not just in this narrow bill that we have before us. And I suggest as my colleagues go through the details of this bill and look at the requirements, there are a couple of requirements that stick out that are not now the basis on which the Forest Service Policy and Law functions.

One, this legitimizes the low-cost sales, so the fact is when one goes into an area and makes the sale, the predicate is instead of just the forest health treatment, we know a lot of issues do not make money, but this justifies further below-cost sales. That is what it does. Notwithstanding that, that is not a consideration in this particular bill. That is a requirements of this bill.

The other is that it suggests that we look at what the economic impact is on the community, and I think that that is an important issue. We are all concerned about helping our constituents, but not at the expense of the public taxpayer, not at the expense of losing our forests.

The bottom line here is we are going to lose the forest and we are going to pay money to do it in terms of the taxpayer. I urge Members to reject this bill.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I thank the gentleman for yielding this time to me.

This bill is not needed to address real problems of forest health. The Forest Service has now authority to take actions that are needed, such things as prescribed burns, thinning, et cetera, where the health of the forest requires it and where there is a risk of wildfire. The bill would establish a new, cumbersome, bureaucratic administrative process that is not needed.

The Forest Service financing methods and accounting systems have long been a subject of criticism. Yesterday, a joint hearing looked into those issues. What we found was that there were problems, but the Forest Service is cleaning up that mess. This bill would impede that process and make matters worse.

First, it would divert money from a road and trail maintenance fund at a time when the service has a huge maintenance backlog, \$10½ billion, and put it into a new recovery trust fund not

subject to appropriations. The fact that that is not subject to appropriations should set off a warning bell for every Member of this House. How will that money be used? Who will scrutinize it? What is the potential for abuse and mismanagement?

Under the bill, any revenue from timber sales conducted under this plan will be turned over to the States, not to the Federal Treasury. This is a giveaway of Federal resources and Federal money, money earned from land that is owned by all the people of this country. Imagine if all the revenue from the Customs levees at New York were turned over to the State of New York. That is essentially what is happening here.

We have heard that the bill has been changed to reflect expressed concerns about environmental impacts. It has indeed been changed at the last minute so that few people have had much time to examine the new text, but the changes have not in any way satisfied environmental concerns. Although most of the references to salvage have been removed from the bill, the substance has not changed. The bill is based on the premise that the best way to protect the forest health is to cut the forest down. The new improved bill not only allows cutting in roadless areas, cutting of large old-growth healthy trees, but it authorizes cutting in the name of so-called recovery if forest problems are merely anticipated or that somebody thinks there might be a problem at some time in the future.

□ 1100

These practices are obviously ridiculous. They would not be limited to the size of the forest either. These are just some of the reasons why this bill creates bad public policy and should be defeated.

Mr. SMITH of Oregon. Mr. Chairman, I yield 3 minutes to the gentleman from northern California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I rise in strong support of the SMITH bill, the Forest Recovery and Protection Act of 1998. Let me assure my colleagues that our forests are in danger. They are not in danger due primarily to the existence of the forest roads, which facilitate the proper management of the forest, they are in danger from the disastrous policies that have been pursued just in the last few years. But, indeed, we could go back over several decades and look at the cumulative impact of the way we have suppressed fires and allowed the tremendous buildup of fuel in the forest.

These forests have to be managed. The forests we think of as the idyllic version back during the days of John Muir were, in fact, managed forests. We need to act now. The gentleman from Oregon (Mr. SMITH) is right, this is a critical point.

The greatest single danger to our forests, at least in California, is the

threat of catastrophic wildfire. We learned in testimony the other day from the Forest Service and from other experts in forestry, a couple of very interesting facts.

Fact number one, for every live tree that is harvested during a year, there are three dead trees in the forest. Fact number two, we add each year to the forest four to five times the amount of board feet of timber as we harvest.

Our forests are choked with overgrowth. Just like in our garden, we get to a point with overgrowth, and we start crowding out the desirable species. We start crowding out life for a lot of the plants that are growing there. What we get is a tremendous potential for forest fire. We need to adopt the Smith bill. We need to treat now while we can the issue of the overgrowth and render safer our forests.

Let me tell my colleagues, in my district, we had a catastrophic forest fire several years ago, the Cleveland forest fire. To this day, the hills are barren. There are tremendous problems with erosion. Let me assure my colleagues, if they care about the environment, they will support this legislation.

The devastation that occurs from a catastrophic forest fire exceeds any devastation caused by other forms of forest management activity. There is no comparison. For that reason, we must have the Smith bill. The condition of our forest demands it. I strongly urge my colleagues' support for this legislation.

Mr. STENHOLM. Mr. Chairman, how much time do we have remaining on both sides?

The CHAIRMAN. The gentleman from Texas (Mr. STENHOLM) has 14½ minutes remaining, and the gentleman from Oregon (Mr. SMITH) has 4½ minutes remaining.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, I rise in opposition to this bill. While I agree that some of our forests are in trouble, I actually think this legislation could increase that trouble. The legislation before us has been presented as a compromise, but this compromise does not in any way address the fundamental flaws that still exist in the bill.

The bill sets up a quick and dirty review process in which timber is harvested under the guise of improving forest health. Proponents have trumpeted this legislation as based on science. Yet, no scientific consensus exists for the perceived forest health crisis. In fact, over 100 scientists have signed a letter which directly disputes this assertion.

Currently, the Forest Service has the authority to undertake restoration work on particular forests. Yet, this bill would take that ability away, because it uses forest health as an excuse to increase commercial logging by



minimizing forest analysis and determining the appropriate value of the land. It sets up a separate account to pay for this forest health program, following \$30 million of receipts to the States.

The current recipient of these funds, the Forest Service, estimates that a repair backlog of \$10 billion exists for maintenance needs. These funds are needed to address legitimate and substantial ecosystem maintenance needs, such as removing old roads that are degrading water quality and degrading our forest. Yet, under this bill, the Forest Service would not have access to these much-needed funds, and the diverted money would allow States to build new roads for the purposes of logging.

Finally, this legislation does not forbid the use of money for new temporary roads. So under the guise, again, of forest health, this bill could open up wide tracks of currently unspoiled forests to logging, wreaking havoc on wildlife and decimating forests for decades to come.

Mr. Chairman, building these roads will not increase our forest health, it will erode it; and for that reason, I urge a no vote on this legislation.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. Mr. Chairman, I am a member of the House Committee on Agriculture, and I realize the hard work that has gone into this legislation. But I must, despite my great respect for the chair and the ranking member and the hard work they put in, I must rise today to oppose this bill. For many of the reasons that my colleagues have indicated, it is fundamentally flawed.

We have three wonderful national forests in Michigan. Yes, there are management issues that need to be addressed, but they can be addressed. They need to be addressed in ways that do not include the fundamental process under this bill.

What we have here is a Forest Preservation and Recovery Act that authorizes money-making activities that could actually hurt the forests. Underneath all of today's discussion about forest health, land management, scientific panels of experts, and environmental stewardship is actually a money-generating provision that harbors the potential to do great harm to our forests.

As has been indicated, the basis of the bill is a provision that permits commercial timber sales. The philosophical assumption in the bill is that it is okay to cut down trees to save trees; and I believe that that is wrong.

In addition, by establishing an off-budget source of money, the incentives are even greater for the USDA and the Forest Service to seek revenue that is free of the appropriations process. I be-

lieve the management of our most endangered forest should be subject to the oversight of Congress, not an off-site revolving fund.

So as long as the bill contains this provision where we are saying that, in order to preserve and protect, we must cut down, this is not the kind of provision that makes sense. It does not make sense for Michigan forests. It does not make sense for the country.

With this provision in it, I cannot support the bill, and I would urge my colleagues to vote no.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I rise in opposition to the Forest Recovery and Protection Act of 1998. This legislation is reminiscent of the infamous salvage logging rider which suspended all environmental safeguards to increase logging on every national forest for 18 months on the grounds that it would improve forest health.

I take issue with the bill's definition of forest health. The author of the bill would have us believe that there is a forest health crisis and that the only way to alleviate the scourge that this crisis will cause is for increased logging.

A group of scientists from universities across the country, including the home State of the author, have come out in opposition to the bill and have stated that there is no scientific consensus that commercial logging is a cure for particular problems to individual national forests.

Furthermore, the National Forest Service has recently concluded that the Nation's forests are generally in a healthy condition. While each region does have a variety of health concerns in need of attention, a listing of these concerns should not be interpreted as a description of forest health crisis.

I introduced the Act to Save America's Forests, and it is endorsed by over 500 scientists, and it defines forest health as a forest which has a broad range of native biodiversity. It would protect native biodiversity in our Federal forest lands by abolishing clear-cutting in Federal forests. It would ban logging and road building in remaining core areas of biodiversity in Federal forests. It would protect the less than 10 percent of original unlogged forests in the United States.

The bill before us today, Mr. Chairman, is overly broad in its definition of areas in need of recovery. It does not, unlike my bill, make roadless areas off limits to logging. It lacks a clearly defined limit on how recovery areas would be managed, and it limits citizen participation by giving the Forest Service broad discretion to take short-cuts through environmental laws.

Mr. Chairman, I urge my colleagues to oppose this legislation.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, what we have heard is a myth. Nothing about this bill coordinates with any of these speeches that we have heard. The public is invited twice in this bill to state their opinion.

We have a scientific panel of the finest academicians in the United States, 11 of them, and they must be hydrologists, wildlife biologists, fisheries biologists, entomologist or pathologist, fire ecologist, silviculturist, economist, soil scientists, and the State forester. Does that sound like some sort of effort to, in the name of salvage, to cut down the forest?

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Forest Recovery and Protection Act. This bill starts with the assumption that our national forests are sick and diseased and, as a result, need more clear-cutting.

This assumption is a myth. There is no direct scientific evidence that our national forests are suffering from excessive amounts of dead or diseased trees. Tree mortality remains well below 1 percent of live tree volume throughout the country. This rate has not changed in 40 years.

The bill attempts to save our public forests by cutting them down. In my book, cutting down a forest does not save a forest. This mentality reminds me of the idea behind the timber salvage rider we passed last Congress. Proponents of the timber salvage rider claimed it would improve forest health. Well, the trees were cut, but the proponents of the Forest Recovery and Protection Act claimed we still have a forest health crisis.

What we found was that the type of logging advocated in this bill will create problems rather than solve them. Mr. Chairman, 95 percent of America's original forests have been cut down. Just 5 percent remains standing, mostly on Federal lands, which is owned by the American people.

Logging under the timber salvage rider upset forest ecosystems by draining the soil of important nutrients. It weakened the land, creating the potential for dangerous mud slides.

Instead of this legislation, Congress should be working on the forest restoration bill like the one that my colleague just mentioned, the Act to Save America's Forests. This legislation would improve forests by prohibiting clear-cutting and even aged logging and other abusive practices on Federal land. It would all save hundreds of millions of road building subsidies and prevent dangerous mud slides.

The Act to Save America's Forests would effectively shift our forest management focus from corporate profit to protection and nurturing of our rare and natural resources.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I rise in support of the Forest Recovery Protection Act, and I thank the gentleman from Oregon (Mr. SMITH), chairman, and the gentleman from Texas (Mr. STENHOLM) for their leadership on this issue.

I represent a district in east Texas that has four national forests. In fact, all of the national forests that are in Texas are located in the 2nd Congressional District. I understand full well the threats that our forests, our national forests, face today from mismanagement and lack of proper management. I think this bill takes a major step forward in ensuring that we will apply sound management practices to our national forests.

We have a battle ongoing in this country between the environmentalists and those who support the sound forestry management practices and preservation of the forest. That really is somewhat irrational because we all believe in the same thing.

The main difference is those of us who support this legislation understand that trees are renewable resources and that we cannot have a sound forest management plan unless we have the tools necessary to manage those forests.

This bill does not disturb any of the wilderness areas that are specified by existing law. In fact, it changes nothing about existing laws that protect our forests. It is a bill designed to ensure that those forests are there for the future.

I appreciate the fact that this bill dedicates the small revenues that will come from the proceeds of any sales on the Forest Recovery Act management practices to the counties and the school districts who depend upon those funds for their school districts for their children and to be sure that the agreement that has been long-standing between the counties and the school districts that have national forests in the Federal Government are maintained.

□ 1115

Because when national forces were created they took property off the tax rolls of those local counties, and it is appropriate that those counties receive some remuneration under the provisions of the bill which they do.

I commend this bill to the House, and I thank the gentleman from Oregon (Mr. SMITH) and the gentleman from Texas (Mr. STENHOLM) for their leadership.

Mr. SMITH of Oregon. Mr. Chairman, what time remains, please?

The CHAIRMAN. The gentleman from Oregon (Mr. SMITH) has 4 minutes remaining, and the gentleman from Texas (Mr. STENHOLM) has 4½ minutes remaining.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL. Mr. Chairman, I want to join with others in commending the gentleman from Oregon (Mr. SMITH), the chairman of the Committee on Agriculture, and the ranking member for bringing forward this bipartisan and common-sense proposal.

Mr. Chairman, we need healthy forests, and all the experts agree that the public forests in the United States are in a serious and unhealthy condition. Unhealthy forests create significant fire hazards, and in the post-El Nino period that we are about to experience in the West, those are dry conditions, and we have unprecedented buildup of fuels in these forests, and the fire hazards are extraordinary.

I want to point out to my colleagues that the fire hazards today in the West are significantly higher than they were 10 years ago while Americans watched as Yellowstone Park burned up. Catastrophic fires, Mr. Chairman, scar the landscape, they erode critical topsoils, they destroy wildlife and their habitat, and they destroy critical spawning areas. We cannot save the forests by burning them down; we save them by managing them, and that is what the goal of this legislation is.

Mr. Chairman, I have heard in this debate that this group or that group is going to score our votes. Mr. Chairman, it does not matter to me how those groups in Washington score my vote today, it is how the people in the Northwest and the people in western Montana score my vote. It is their communities that are at risk of destruction. The sportsmen and women and fishers and campers and hikers and berry pickers, they are going to be scoring this vote because they want healthy forests, because catastrophic fires are going to destroy their opportunities to use and enjoy these forests.

Mr. Chairman, I urge my colleagues to support this bill, protect the environment, enhance wildlife, protect our streams, save our communities, vote "yes" on the Forest Recovery and Protection Act.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BROWN).

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding me this time. I have a little bit more to say than I can say in this amount of time, but I may take a little time under the 5-minute rule to speak further.

First, I want to commend the work that has gone into this bill. I know how hard the chairman and the gentleman from Texas (Mr. STENHOLM) have worked on it. I appreciate their point of view. I do not agree with them, but I think that they have made every reasonable effort to accommodate differences, and I want to commend them for doing that.

Mr. Chairman, my experience with the forest goes back quite a ways. I have been on the Committee on Agriculture for the last 25 years, and I have been a member of the Subcommittee on Forestry, Resource Conservation, and Research for many of those years. In my opinion, we established the proper framework to protect the health of the forests with the Forest Management Act of 1976, I think it was. Unfortunately, that act was never adequately administered under the Reagan-Bush years, and the purpose of the Forest Service seemed to be to maximize the amount of timber that was cut, rather than to manage the forests for forest health and for multiple use, which is incorporated in the act, as well as adequate provisions to protect all of the users and protect the health of the forests.

We do not need this bill if we would merely utilize the existing authorities, which I do not think that we have adequately; and since we do not need it, it is not my intention to support it. Frankly, I think the reason for introducing the bill is to make it easier to cut the forests, which is not an ignoble goal, and I sometimes share it.

I think that we have to be extremely prudent. In California, our forest ecosystems are not healthy. They need to be managed to restore their health. That management does not consist of cutting any more timber off of those forests, but it includes a much more sophisticated approach, based on a whole-ecosystem type of management that we have not been getting.

In my own district we have forest areas which have been completely destroyed, and they are getting worse, not better. I would like to see us do something about it, but it is not going to consist of increasing the amount of logging that we are doing there.

Mr. Chairman, for these reasons, I would like to continue to work on the committee and with the administration, which opposes this bill, as I presume has been mentioned, to strengthen the existing management for the creation of healthy forests and for agreeing on some appropriate level of logging which will contribute to the health of the forests and to the economy of the regions. I think a good deal of what is driving this bill is that increased logging is important to the economy of the region in many cases, and that is driving action that I think is inappropriate over the long run.

The CHAIRMAN. Each side has 2½ minutes remaining.

Mr. STENHOLM. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the gentleman from Texas (Mr. TURNER) a moment ago made an observation that I hope was not lost on the House. The gentleman stated that forest trees are a renewable resource. The intent of this legislation was to recognize that in the same spirit the gentleman from California (Mr.



BROWN) just spoke in recognizing that there are differences of opinion.

Many times, I have come to the floor on agricultural bills in which the same, much of the same opposition to science-based agricultural production practices are opposed by those who believe that somehow, some way, we can produce the abundance of food and the quality of food and the safety necessary of food supply at the lowest cost to our people of any other country in the world and do it without science and technology.

The same is true for our forests, the idea that we should not use the best science available in order to preserve and protect and utilize a renewable resource, because we will hear many times this year the importance of housing. It is awfully important to a housing industry that we have a reliable supply of timber.

Mr. Chairman, I would just make one other observation. The House Committee on Agriculture, under the leadership of the Chairman, invited all interested parties to participate in this discussion and debate. It was interesting that the National Wildlife Federation, the Defenders of Wildlife, the Environmental Defense Fund, the Western Ancient Forest Campaign, the Sierra Club declined to participate in the hearings or participate in discussions of how to make this bill different or better.

Those who did participate and made a better bill that we bring to the floor today included the Northern Forest Lands Council, the Rocky Mountain Elk Foundation, the Black Bear Conservation Committee, the Nature Conservancy, the American Forests, the International Association of Fish and Wildlife Agencies, the Ruffed Grouse Society, the Wildlife Management Institute, and the Wilderness Society.

Now, to those I appreciate very much their participation in crafting this bill, controversial to say the least, but making it in a way in which we can preserve and protect our forests, and make certain that a renewable resource will be there for the best interests of all of the American people.

I encourage the support of this legislation.

Mr. SMITH of Oregon. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I rise in support of the bill, and I too commend the gentleman from Oregon (Mr. SMITH), chairman of the committee, and the gentleman from Texas (Mr. STENHOLM) for the hard work that they have done on this bill.

The legislation before us today is one way that we truly can actually do what we need to do and what we all want to do, and that is have healthy and productive forests.

Like the gentleman from California (Mr. BROWN) who preceded me, for

whom I have the utmost respect for his experience in forestry and his service on the committee, I too have extensive experience when it comes to forests and forest health. I live in a district, I represent the entire State of Wyoming, and I live in a district and visit the forests about twice a month. I have flown over the forests in helicopters, and I have seen the national forests that have so much dead timber in them that it caused the chief of the Forest Service, Chief Dombeck, to say this, and I quote, that there are 40 million acres of Forest Service land that, in his words, "are at an unacceptable risk of destruction by catastrophic wildfire." This is true. This is a real threat. It not only threatens human lives, but it threatens animal habitat.

The only way we can deal with this problem is to manage the forests. We all want a healthier, we all want healthy forests. The insect infestation that causes dead trees can be controlled if we allow logging to be done. I do not think anyone has heard anyone over here say we want to clear-cut the forests; that is a thing of the past, we do not want to do that. But we want scientists, we want those Forest Service people who are on the ground to be able to produce timber from the forests when they think it is the scientifically healthy thing for the Forest Service to do; and they at this time cannot do this.

We need this legislation. It is time that we push the Forest Service into action to harvest this timber to make our forests healthy and beautiful for recreation for people and for the animal wildlife.

Mr. SMITH of Oregon. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, I just wanted to extend my gratitude to the gentleman from Texas (Mr. STENHOLM), and to the gentleman from Maryland (Mr. GILCHREST) and to many on the minority side and many on this side who have really made an effort to step forward and create a bill that is truly designed to take care of the forest health of America. To those people I extend my heartiest congratulations, and I thank them immensely for their efforts.

Ms. PELOSI. Mr. Chairman, make no mistake—there's nothing healthy about this bill. It's "managed care" gone off the scale.

HR 3530 would encourage further destruction of our national forests by encouraging logging, limiting public participation in the process and exploiting some of our most environmentally sensitive forest areas. We have been through this debate. The rationale in HR 3530 is the same rationale used in the "Salvage Logging Rider" which had devastating effects on forests in the name of "forest health." It was a mistake then; it is a mistake now.

The U.S. Forest Service has already confirmed that the "forest health" crisis this bill purports to address does not exist. It is simply

another excuse for salvage logging that will permit logging of old growth forests and transfer money from road and trail maintenance to unnecessary logging activities. Currently, there is a \$10 billion backlog in road maintenance throughout our national forests. It does not make sense to defer this spending and embark on a frivolous logging program.

In addition to this, the bill actually creates an incentive for logging by setting up a special forest management fund that would be fed by the sale of commercial timber. The more trees you cut in the name of "forest health"—the more revenues deposited in the account. We do not need another fund. In the bill, it is "available without further appropriation"—a determination that should be made by the Appropriations Committee in its review of funding for the Forest Service.

Over 100 scientists have registered their opposition to this bill. One of them is quoted: "The Forest Recovery and Protection Act of 1998 is a stealth attack on natural resources in the guise of 'forest health.'" Another states: "The Forest Service already has the authority to undertake these appropriate activities \* \* \* new legislation that provides a broad mandate to institute 'recovery projects' on potentially very large national forest areas is not needed."

The Administration opposes this bill. A letter from Agriculture Secretary Glickman states: " \* \* \* the Forest Service would be much better served by continuing its program for improving forest resources using its existing authorities rather than be encumbered by this bill's controversial provisions and lengthy and costly processes."

Secretary Glickman's letter concludes with: "I share your broad goal of improving our forest resources, but the Administration strongly opposes this bill; it would curtail important environmental and administrative laws, create a tremendous bureaucratic burden, and ignite another round of controversy over salvage and forest health operations."

This bill is unnecessary; this debate is unnecessary. The concept behind this H.R. 3530 is the same scorched-earth approach that the majority has taken time after time in promoting its war on the environment.

I urge my colleagues—do not vote for chain saw surgery. Today's vote is an opportunity for a second opinion—there is no forest health crisis; the Forest Service already has the authorities included in this bill; H.R. 3530 is opposed by over 100 forest scientists and the administration. There is no need for the legislation.

Vote no on H.R. 3530.

Mrs. EMERSON. Mr. Chairman, I rise in strong support of H.R. 2515, the Forest Recovery and Protection Act. I am pleased to be an original cosponsor of this bill, a bipartisan measure that reflects sound and scientific management of our national forests. Furthermore, I would like to make note of the tremendous efforts of the author of this bill, Chairman of the Agriculture Committee BOB SMITH. Chairman SMITH has conducted extensive hearings to review the health of our forests and has reached out to those holding different viewpoints. His steady, informed leadership on this critical issue is to be commended.

H.R. 2515 recognizes that the long term well-being of our forests depends on active,

not passive, care and protection. As the Agriculture Committee hard from scientists and professional foresters in recent hearings, active management measures are vital to sustaining the health of a forest. Without these measures, forests become vulnerable to insect infestation, disease, and fires, and in fact this has already occurred in many of our forests across the country. H.R. 2515 will provide the Forest Service with the necessary tools and scientific input to manage our national forests in the most responsible way.

A key point that I would like to make is that this bill helps us achieve all of the environmental, economic, and recreational goals that we have for our forest lands. By looking out for our forests, we are looking out for the sportsmen, the local timber businesses, the wildlife, and everyone else who benefits from this wonderful natural resource. H.R. 2515 represents a commitment to keeping our national forests healthy and strong for the long term.

I urge a firm yes vote on H.R. 2515.

Mr. MORAN of Virginia. Mr. Chairman, I rise in opposition to the Forest Recovery and Protection Act (HR 3530).

The bill, introduced by House Agriculture Chairman BOB SMITH (OR), creates a five-year national program allowing the Secretary of Agriculture to identify and pursue an unlimited number of "forest health recovery areas and projects" within the National Forest Service. That means that logging of our National Forests could occur anywhere in the National Forests without any limits on the number or sizes of the logging projects.

This bill would allow unlimited clearcuts, invasion sand logging of roadless areas and cutting of old growth forests.

This bill reduces the level of agency review and public comment to a level significantly lower than protections provided by the National Environmental Policy Act.

The bill creates an off-budget fund in which 100% of the receipts from logging projects would go to the local counties to fund schools and roads. By linking funding for local projects to logging, this off-budget fund will create enormous and inappropriate financial incentives for the Forest Service to pursue logging projects in every National Forest. If this bill is passed, we can soon expect public school teachers coming to Congress to lobby for more logging projects so that they can teach school.

The off-budget fund that this bill would create within the Forest Service would bypass the Appropriations process. The off-budget fund would be completely unaccountable to Congress and mirror problems found in the existing Salvage Fund, Knudsen-Vandenberg and Brush Disposal Funds.

This bill attempts to correct a forest health crisis that the USDA and environmental groups say does not exist. The recommendations of this bill are based on pseudo-scientific research and questionable conclusions.

This bill is opposed by Democrats, Republicans, environmental and religious groups. Environmental groups (more than 100 groups including Sierra Club, League of Conservation Voters, Friends of the Earth, PIRG, Kettle Range Conservation Group, Western Ancient Forest Campaign) and religious groups (Pres-

byterian Church, United Methodist, Reform Judaism) have contacted my office in opposition to this bill.

This bill would eradicate environmental protections provided by the National Environmental Policy Act, Endangered Species Act and Clean Water Act.

The American public does not support this bill. A clear majority of Americans nationwide oppose commercial logging in National Forests.

President Clinton has already said that he will veto this bill.

I urge you to vote no on H.R. 3530.

Mr. PORTER. Mr. Chairman, reluctantly, I rise in opposition to this legislation. The Chairman of the Committee, Mr. SMITH, and his staff have been extremely patient in working to address my concerns and I am disappointed to not be able to support the end result. I understand that the Chairman is trying to improve the management of our national forests but I do not feel that this bill provides the best means.

I believe the substitute amendment to the bill greatly improves the public participation and the environmental review of the recovery areas and projects authorized in the bill. Specifically, the public comment and notice periods added to the recovery area designation phase will provide an important opportunity for interested parties to provide input on those areas designated for potential treatments. In addition, the extended time periods for identification of recovery projects by the regional forester will guarantee the application of all relevant environmental laws to be sure that the health of the entire project is considered before implementation of treatments.

While I do not support the concept of off-budget funds, I am pleased with the additional safeguards that the Committee has added for the oversight of the Forest Recovery Fund authorized in this bill. In one of the first drafts of this legislation, any funds generated by recovery projects were deposited back in the Fund established by this bill. I raised concerns that this process would provide incentive for projects to be revenue generating instead of promoting a treatment that, while more appropriate to improve the health of the forest, would operate at a cost. The Committee worked tirelessly to address this concern and, in the end, I believe that this money should simply be sent back to the General Fund of the Treasury.

My remaining concerns with this legislation are the use of this bill's funds for the construction of roads, either permanent or temporary, and the lack of protection of roadless areas. These concerns are obviously directly linked. I am not against all road building in our national forests. However, the \$10 billion backlog in road maintenance and obliteration estimated by the Forest Service for the transportation system within our national forests is a crisis in its own right. The solution to this need is not the construction of more roads. Further, and I realize that there is disagreement on this issue, I believe that roadless areas provide important habitats and are imperative in maintaining balance in ecosystems and should therefore, be left undisturbed. The areas of the national forest system in greatest need of attention are those that are in close proximity to

urban centers and areas that have not been properly managed after resource extraction. Since the program authorized by this legislation is only for five years, I believe that these areas in urgent need should be highlighted as a priority and roadless area left untouched.

Again, I want to thank my colleague from Oregon for his extensive discussions with me on this legislation. I hope that such negotiations will continue in the future as we discuss other legislation pertaining to the management of our nation's forests.

Mr. BLUMENAUER. Mr. Chairman, I rise today in opposition to H.R. 3530, the Forest Recovery and Protection Act. First, I would like to commend my colleague Rep. SMITH for his efforts to reach a compromise and his willingness to make some pretty significant changes to his original proposal. While the revised version of the legislation does not address all my concerns, I did want to take a moment to recognize Rep. SMITH and his staff have really made an effort to accommodate a number of the issues that have been raised.

Despite the revisions, however, I still remain deeply concerned about the impact of this legislation on our Nation's forests, as outlined below.

Is the legislation necessary? Scientists disagree strongly as to the current status of our forests. While I don't feel qualified to pick and choose between scientific assessments of forest health, I do feel comfortable in my understanding that the Forest Service already has the authorization to undertake recovery projects along the lines of those proposed in this legislation. No one has adequately demonstrated to me that our forests are in such a deplorable state that the type of dramatic expansion of Forest Service authority as proposed in the bill is necessary.

Will the proposed prescriptions do more harm than good? Under the bill, a recovery project is defined in a variety of ways, including options I strongly support, such as riparian restoration, soil stabilization and water quality improvement, and seedling planting and protection. However, also included are projects such as the removal of trees to improve stand health by stopping or reducing actual or anticipated spread of insects or disease. Although I do understand that in some cases, removal of trees can be a good prescription for forest health, this particular option strikes me as very open-ended—especially the suggestion that trees should be removed to stop the anticipated spread of insects or disease. What if we're wrong as to the spread of insects or disease? Once the trees are gone, it is impossible to put them back.

In addition, while I appreciate Rep. SMITH's efforts to ensure that recovery projects could not take place in wilderness, riparian, or old growth areas, the bill, in my opinion, still leaves open the possibility that entire forests could be designated for intrusive and environmentally harmful recovery projects. It simply does not limit the size or scope of these proposed actions.

Is there sufficient time available for public comment and review of recovery projects? The time frames in this bill are very tight, especially considering the unlimited magnitude of the possible projects. The Secretary has only 210 days to propose standards and criteria,



and only 45 days are allowed for public comment on the proposed standards. The Secretary then has only 30 days to assimilate the comments and issue final regulations. If we are to ensure that our actions actually improve the health of our forests, we must allow more time for analysis of the standards.

Are there built in incentives for recovery projects that remove trees? By focusing efforts on options that are highly "cost-effective" and designating revenues from the recovery projects would go directly to the states, the legislation skews recovery prescriptions toward those that generate revenues. The revenue provision, in particular, builds in an incentive for State foresters (who must be consulted under this proposal) to suggest prescriptions that would provide revenue.

Is the Scientific Advisory Board sufficiently oriented toward true Forest health? Under the proposal, the SAB is divided equally between individuals with natural science expertise who are leaders in the field of forest resource management, and state foresters who are versed in forest resource management. Obviously, this puts emphasis on those individuals who actively manage the forests, as opposed to those who might focus more on preservation. In addition, I am somewhat concerned about the politicized appointment process outlined in the bill. This could lead to less qualified individuals being members of the board, as well as an extremely slow selection process.

Concerns on Advanced Recovery Projects. The bill also allows for the selection of Advanced Recovery Projects, within 30 days after the enactment of the act. I am very concerned that this provision could allow for implementation of large scale recovery projects in a variety of forests with very little scientific or public review. Again, once we have cut down the trees in the name of forest health, only Mother Nature can bring them back.

Concerns on financing of the projects and roadless areas. Financing for these recovery projects would be provided through annual Congressional appropriations and unobligated amounts in the roads and trails funds. Given the \$10 billion backlog of road maintenance needs, I am not convinced that these recovery projects would be the best use of these funds. In addition, I am deeply concerned that while the forest recovery fund does limit the use of funds for new permanent roads, there is no limitation on the building of temporary or even semi-permanent roads—even in roadless areas.

Mr. Chairman, again I recognize that Mr. SMITH has really made an effort to craft a bill to which we all can agree. This is not that bill. For the reasons outlined above I will oppose H.R. 3530, and I urge my colleagues to do the same.

Mr. SHAW. Mr. Chairman, I rise today in support of H.R. 2870, the Tropical Forest Conservation Act.

Despite international conservation efforts, clearcutting and logging are occurring in tropical rain forests at an astonishing rate. While I am aware of efforts and plans to replace these trees by replanting, I saw no such activity when I visited the Republic of Congo in 1997. Clearcutting of rainforests is particularly tragic because tropical rainforests, with their dense growth and high biodiversity, are home

to the greatest number of species of any ecosystem on earth. The majority of these species have yet to be even identified. Moreover, humankind has barely scratched the surface of the uses and medicinal properties of those plants and animals we have already identified. Unchecked logging threatens the existence of thousands of species.

Mr. Chairman, because of my trip to the Republic of Congo, I see the urgent need for legislation such as H.R. 2870. This "debt-for-nature" exchange would empower developing countries to fight to protect these vital forests against extreme logging practices. Because of the economic status of these developing countries, it is unlikely that the U.S. would ever see these debts repaid. This legislation ensures that the American people get something in return for their generosity.

Mr. Chairman, I urge my colleagues to support the Tropical Forest Conservation Act.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the order of the House of Thursday, March 26, 1998, the amendment in the nature of a substitute consisting of the text of H.R. 3530 is considered as an original bill for the purpose of amendment and is considered read.

The text of the amendment in the nature of a substitute is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Forest Recovery and Protection Act of 1998".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. National Pilot Program of Forest Recovery and Protection.
- Sec. 5. Scientific Advisory Panel.
- Sec. 6. Advance recovery projects.
- Sec. 7. Monitoring plan.
- Sec. 8. Forest Recovery and Protection Fund.
- Sec. 9. Authorization of appropriations.
- Sec. 10. Audit requirements.
- Sec. 11. Forest inventorying and analysis.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) There are tradeoffs in values associated with proactive, passive, or delayed forest management. The values gained by proactive management outweigh the values gained by delayed or passive management of certain Federal forest lands.

(2) Increases in both the number and severity of wildfire, insect infestation, and disease outbreaks on Federal forest lands are occurring as a result of high tree densities, species composition, and structure that are outside the historic range of variability. These disturbances cause or contribute to significant soil erosion, degradation of air and water quality, loss of watershed values, habitat loss, and damage to other forest resources.

(3) Serious destruction or degradation of important forest resources occurs in all regions of the United States. Management activities to restore and protect these resources in perpetuity are needed in each region and should be designed to address region-specific needs.

(4) According to the Chief of the United States Forest Service, between 35 and 40 million of the 191 million acres of Federal forest lands managed by the Forest Service are at an unacceptable risk of destruction by catastrophic wildfire. The condition of these forests can pose a significant threat of destruction to human life and property as well as to the habitat for fish and wildlife (including threatened and endangered species), public recreation areas, timber, watersheds, and other important forest resources.

(5) Restoration and protection of important forest resources require active forest management involving a range of management activities, including thinning, salvage, prescribed fire (after appropriate thinning), sanitation and other insect and disease control, riparian and other habitat improvement, soil stabilization and other water quality improvement, and seedling planting and protection.

(6) Many national forest units of the National Forest System have an increasing backlog of unfunded projects to restore and protect degraded forest resources. Adequate funding, structured so as to maximize the allocation of monies for on-the-ground projects, is needed to address this backlog in an efficient, cost-effective way.

(7) A comprehensive, nationwide effort is needed to restore and protect important forest resources in an organized, timely, and scientific manner. There should be immediate action to improve the areas of Federal forest lands where serious resource degradation has been thoroughly identified and assessed or where serious resource destruction or degradation by natural disturbance is imminent.

(8) Congress and the Comptroller General have identified the need to increase agency accountability for achieving measurable results at all levels of government, both in the management of fiscal resources and in carrying out statutory mandates. Additional funding to address the backlog of recovery projects in the National Forest System must, therefore, be accompanied by performance standards and accountability mechanisms that will clearly demonstrate the results achieved by any additional investment of taxpayer dollars.

(9) Frequent forest inventory and analysis of the status and trends in the conditions of forests and their resources are needed to identify and reverse the destruction or degradation of important forest resources in a timely and effective manner. The present average 12- to 15-year cycle of forest inventory and analysis to comply with existing statutory requirements is too prolonged to provide forest managers with the data necessary to make timely and effective management decisions, particularly decisions responsive to changing forest conditions.

#### SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) FEDERAL FOREST LANDS.—The term "Federal forest lands" means lands within the national forest units of the National Forest System.

(2) FUND.—The terms "Forest Recovery and Protection Fund" and "Fund" mean the fund established under section 8.

(3) IMPLEMENTATION DATE.—The term "implementation date" means January 15, 2000, or the first day of the 19th full month following the date of the enactment of this Act, whichever is later. However, if the implementation date under the second option would occur within six months of the next January 15, the Secretary may designate that January 15 as the implementation date.

(4) **LAND MANAGEMENT PLAN.**—The term "land management plan" means a land and resource management plan prepared by the Forest Service pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) for Federal forest lands under the jurisdiction of the Secretary of Agriculture.

(5) **NATIONAL PILOT PROGRAM.**—The term "national pilot program" means the National Pilot Program of Forest Recovery and Protection required by section 4.

(6) **OVERHEAD EXPENSES.**—The terms "overhead expenses" and "overhead" mean—

(A) common services and indirect expenses, as such terms are defined by expense items 1-10 in Appendix E of the United States Forest Service Timber Cost Efficiency Study Final Report, dated April 16, 1993 (pages 125-126);

(B) direct and indirect general administration expenses, as such terms are identified in Appendix D of the United States Forest Service Forest Management Program Annual Report, Fiscal Year 1996 (FS-614), dated December, 1997 (pages 110-111); and

(C) any other cost of line management or program support that cannot be directly attributable to specific projects or programs.

(7) **RECOVERY AREA.**—The term "recovery area" means a national forest unit of the National Forest System, identified by the Secretary under section 4(c)—

(A) that has experienced disturbances from wildfires, insect infestations, disease, wind, flood, or other causes, which have caused or contributed to significant soil erosion, degradation of water quality, loss of watershed values, habitat loss, or damage to other forest resources of the area; or

(B) in which the forest structure, function, or composition has been altered so as to increase substantially the likelihood of wildfire, insect infestation, or disease in the area and the consequent risks of damage to soils, water quality, watershed values, habitat, and other forest resources from wildfire, insect infestation, disease, wind, flood, or other causes.

(8) **RECOVERY PROJECT.**—The term "recovery project" means a project to improve, restore, or protect forest resources within an identified recovery area, including the following types of projects: riparian restoration; treatments to reduce stand density for the purpose of reducing risk of catastrophic loss; soil stabilization and other water quality improvement; removal of dead trees or trees being damaged by injurious agents other than competition; prescribed fire; integrated pest management, including the removal of trees to improve stand health by stopping or reducing actual or anticipated spread of insects or disease; vegetative treatments and other habitat improvement activities; and seedling planting and protection.

(9) **SCIENTIFIC ADVISORY PANEL.**—The term "Scientific Advisory Panel" means the advisory panel appointed under section 5.

(10) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

#### SEC. 4. NATIONAL PILOT PROGRAM OF FOREST RECOVERY AND PROTECTION.

(a) **NATIONAL PILOT PROGRAM REQUIRED.**—Not later than the implementation date, the Secretary shall commence a national pilot program to restore and protect forest resources located on Federal forest lands in the United States through the performance of recovery projects in identified recovery areas.

(b) **STANDARDS AND CRITERIA.**—

(1) **INITIAL PUBLICATION.**—Not later than 210 days before the implementation date, the Secretary shall publish in the Federal Register the proposed standards and criteria to be used for the identification and prioritization of recovery areas. In establishing the standards and criteria, the Secretary shall consider the standards and criteria recommended by the Scientific Advisory Panel under section 5(f). The Secretary shall include in the Federal Register entry required by this paragraph an explanation of any significant differences between the recommendations of the Scientific Advisory Panel and the standards and criteria actually proposed by the Secretary.

(2) **COMMENT PERIOD AND FINAL PUBLICATION.**—Upon the publication of the proposed standards and criteria under paragraph (1), the Secretary shall provide a 45-day period for the submission of comments regarding the proposed standards and criteria. Not later than 30 days after the close of the comment period, the Secretary shall publish the final standards and criteria in the Federal Register.

(c) **IDENTIFICATION OF RECOVERY AREAS.**—

(1) **INITIAL PUBLICATION.**—Not later than 105 days before the implementation date, the Secretary shall publish in the Federal Register a list, in order of priority, of the proposed recovery areas within which recovery projects are to be conducted under the national program in accordance with the standards and criteria established and in effect under subsection (b).

(2) **COMMENT PERIOD AND FINAL PUBLICATION.**—Upon the publication of the proposed recovery areas under paragraph (1), the Secretary shall provide a 45-day period for the submission of comments regarding the proposed recovery areas. Not later than 30 days after the close of the comment period, the Secretary shall publish the final list of recovery areas, in order of priority, in the Federal Register.

(3) **MODIFICATION.**—The Secretary may not modify the final list of recovery areas published pursuant to paragraph (2).

(d) **ANNUAL ALLOCATION OF AMOUNTS TO RECOVERY AREAS.**—

(1) **ALLOCATION REQUIRED.**—Not later than the implementation date, and each January 15 thereafter, the Secretary shall allocate amounts from the Forest Recovery and Protection Fund to regions of the Forest Service for the purpose of conducting recovery projects in recovery areas identified in subsection (c). In making such allocations, the Secretary shall identify the total acreage nationally that the Secretary expects to be treated during the fiscal year using allocated amounts.

(2) **AUTHORIZED USE OF AMOUNTS FOR MULTI-YEAR PROJECTS.**—Amounts allocated by the Secretary pursuant to paragraph (1) shall be available, without further allocation by the Secretary, to carry out and administer multi-year recovery projects beyond the fiscal year in which the amounts are allocated by the Secretary.

(e) **RECOVERY PROJECTS.**—

(1) **INITIATION OF PROJECT LEVEL ANALYSIS.**—Not later than 30 days after the date on which the Secretary allocates amounts from the Forest Recovery and Protection Fund under subsection (d), the regional forester (or the designees of the regional forester) in each region to which amounts have been allocated shall initiate project planning, including any activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), for each recovery project to be conducted during that fiscal year.

(2) **PROHIBITED PROJECT LOCATIONS.**—The regional forester (or the designees of the regional forester) shall not select or implement a recovery project under the authority of this Act in any of the following:

(A) Any unit of the National Wilderness Preservation System or any primitive area or area identified for study for possible inclusion in such system under the Wilderness Act (16 U.S.C. 1131 et seq.).

(B) Any riparian area, late successional reserve, or old growth area within which the implementation of recovery projects is prohibited by the applicable land management plan.

(C) Any other area in which the implementation of recovery projects is prohibited by law, a court order, or the applicable land management plan.

(f) **REQUIREMENTS FOR RECOVERY PROJECT SELECTION.**—In selecting recovery projects as required under subsection (e), the regional forester (or the designees of the regional forester) in each region shall—

(1) identify for each recovery project the total acreage requiring treatment, the estimated cost of preparation and implementation, and the estimated project duration;

(2) consider the economic benefits to be provided to local communities as a result of each recovery project, but only to the extent that such considerations are consistent with the standards and criteria for recovery areas established and in effect under subsection (b) and the priorities established by the ranking of recovery areas under subsection (c);

(3) ensure that each recovery project complies with the land management plan applicable to the recovery area within which the recovery project will be conducted;

(4) ensure that each recovery project is designed to be implemented in the most cost-effective manner, except that a recovery project is not precluded simply because the cost of preparing and implementing the recovery project is likely to exceed the revenue derived from the recovery project; and

(5) ensure that each recovery project will maintain or enhance the ecological functions and conditions of the forest in which the project will be conducted.

(g) **ANNUAL REPORT TO CONGRESS.**—

(1) **REPORT REQUIRED.**—Not later than the implementation date, and each January 15 thereafter, the Secretary shall submit to Congress a report on the identification and prioritization of recovery areas required under subsection (c) and the allocation of amounts from the Forest Recovery and Protection Fund under subsection (d).

(2) **REPORT CONTENTS.**—Each report required under paragraph (1) shall include the following:

(A) A breakdown of the amounts allocated to each region of the Forest Service under subsection (d).

(B) The total acreage nationally expected to be treated by recovery projects during the fiscal year using amounts allocated under subsection (d).

(3) **ADDITIONAL REQUIREMENTS.**—After the initial report required by paragraph (1), each subsequent report shall also include the following:

(A) A list, by recovery area, of the recovery projects for which planning has been initiated during the prior fiscal year including, for each recovery project, the following:

(i) A description of the management objectives of the project that will be monitored for implementation and effectiveness using the monitoring plan established under section 7.



(ii) The total acreage requiring treatment, the estimated cost of preparation and implementation, and the estimated project duration.

(iii) The total acreage treated by the recovery project during the fiscal year.

(iv) The projected economic benefits (if any) the project will provide to local communities.

(B) An explanation of the following:

(i) Whether the planning for recovery projects during the prior fiscal year was initiated within the timeframe required under subsection (e)(1) and an accounting of the steps taken by the Secretary relative to the projects pursuant to the requirements of section 8(d); and

(ii) An explanation of the status of recovery projects for which planning was initiated in prior fiscal years.

(C) A list, by recovery area, of the recovery projects completed during the prior fiscal year including, for each recovery project, a comparison of the following:

(i) The projected and actual management objectives achieved by the project, as determined using the monitoring plan established and in effect under section 7.

(ii) The projected and actual preparation and implementation costs and duration of the project.

(iii) The projected and actual economic benefits to local communities provided by the project.

(D) A description of any additional resources or authorities needed by the Secretary to implement and carry out the national pilot program in an efficient and cost-effective manner.

(4) NOTICE OF AVAILABILITY.—Not later than the implementation date, and each January 15 thereafter, the Secretary shall publish in the Federal Register a notice of availability of the most recent report to Congress required by this subsection.

(h) APPLICABILITY OF FEDERAL LAWS.—Nothing in this section exempts any action authorized or required by this section from any Federal law.

#### SEC. 5. SCIENTIFIC ADVISORY PANEL.

(a) ESTABLISHMENT.—There is established a panel of scientific advisers to the Secretary to be known as the "Scientific Advisory Panel".

(b) COMPOSITION OF PANEL.—

(1) APPOINTMENT FROM LIST OF EXPERTS.—The Scientific Advisory Panel shall consist of 11 members appointed as provided in subsection (c) from a list, to be prepared by the National Academy of Sciences, that consists of—

(A) persons with expertise in the natural sciences who, through the publication of peer-reviewed scientific literature have demonstrated expertise in matters relevant to forest resource management; and

(B) State foresters (or persons with similar managerial expertise) who, through the publication of peer-reviewed scientific literature or other similar evidence of significant scientific or professional accomplishment, have demonstrated expertise in matters relevant to forest resource management.

(2) PREPARATION OF LIST.—The National Academy of Sciences shall prepare the list required by paragraph (1) not later than 30 days after the date of the enactment of this Act. In the preparation of the list, the National Academy of Sciences shall consult with scientific and professional organizations whose members have relevant experience in forest resource management.

(c) APPOINTMENT PROCESS.—The members of the Scientific Advisory Panel shall be se-

lected from the list described in subsection (b) as follows:

(1) One member appointed by the Chairman of the Committee on Agriculture of the House of Representatives, in consultation with the ranking minority member of the Committee.

(2) One member appointed by the Chairman of the Committee on Resources of the House of Representatives, in consultation with the ranking minority member of the Committee.

(3) One member appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate, in consultation with the ranking minority member of the Committee.

(4) One member appointed by the Chairman of the Committee on Energy and Natural Resources of the Senate, in consultation with the ranking minority member of the Committee.

(5) Three members appointed by the Secretary.

(6) Four members appointed by the National Academy of Sciences.

(d) ADMINISTRATIVE MATTERS.—

(1) TIME FOR APPOINTMENT.—Appointments of members of the Scientific Advisory Panel shall be made as follows:

(A) The appointment of members under paragraphs (1) through (4) of subsection (c) shall be made within 30 days after the date on which the list described in subsection (b) is first made available.

(B) The appointment of members under paragraphs (5) and (6) of subsection (c) shall begin after the appointments required under paragraphs (1) through (4) of such subsection have been made so that the persons making the appointments under paragraphs (5) and (6) of such subsection can ensure that the requirement specified in subsection (e) for a balanced representation of scientific disciplines on the Scientific Advisory Panel is satisfied. The appointments shall be completed within 60 days after the date on which the list described in subsection (b) is first made available.

(2) TERM AND VACANCIES.—A member of the Scientific Advisory Panel shall be appointed for a term beginning on the date of the appointment and ending on the implementation date. A vacancy on the Scientific Advisory Panel shall be filled within 30 days in the manner in which the original appointment was made.

(3) COMMENCEMENT OF ACTIVITY.—The Scientific Advisory Panel may commence its duties under subsection (f) as soon as at least eight of the members have been appointed under subsection (c). At the initial meeting, the members of the Scientific Advisory Panel shall select one member to serve as chairperson.

(4) CONFLICT OF INTERESTS.—A person may not serve as a member of the Scientific Advisory Panel if the member has a conflict of interest with regard to any of the duties to be performed by the Scientific Advisory Panel under subsection (f). Decisions regarding the existence of a conflict of interest shall be made by the Scientific Advisory Panel.

(e) BALANCED REPRESENTATION OF SCIENTIFIC DISCIPLINES.—The Scientific Advisory Panel shall include at least one representative of each of the following:

- (1) Hydrologist.
- (2) Wildlife biologist.
- (3) Fisheries biologist.
- (4) Entomologist or pathologist.
- (5) Fire ecologist.
- (6) Silviculturist.
- (7) Economist.
- (8) Soil scientist.

(9) State forester or person with similar managerial expertise.

(f) DUTIES IN CONNECTION WITH IMPLEMENTATION.—During the period beginning on the initial meeting of the Scientific Advisory Panel and ending on the implementation date, the Scientific Advisory Panel shall be responsible for the following:

(1) The preparation and submission to the Secretary and the Congress of recommendations regarding the standards and criteria that should be used to identify and prioritize recovery areas.

(2) The preparation of and submission to the Secretary and the Congress of recommendations regarding a monitoring plan for the national pilot program of sufficient scope to monitor the implementation and effectiveness of recovery projects conducted under the national pilot program.

(g) CONSIDERATIONS.—In the development of its recommendations under subsection (f), the Scientific Advisory Panel shall—

(1) consult as appropriate with region-specific scientific experts in forest ecology, hydrology, wildlife biology, entomology, pathology, soil science, economics, social sciences, and other appropriate scientific disciplines;

(2) consider the most current peer-reviewed scientific literature regarding the duties undertaken by the Panel; and

(3) incorporate information gathered during the implementation of the advance recovery projects required under section 6.

(h) ALLOCATION OF FOREST SERVICE PERSONNEL.—The Forest Service shall allocate administrative support staff to the Scientific Advisory Panel to assist the Panel in the performance of its duties as outlined in this section.

(i) FEDERAL ADVISORY COMMITTEE ACT COMPLIANCE.—The Scientific Advisory Panel shall be subject to sections 10 through 14 of the Federal Advisory Committee Act (5 U.S.C. App.).

#### SEC. 6. ADVANCE RECOVERY PROJECTS.

(a) SELECTION OF ADVANCE PROJECTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall allocate amounts from the Forest Recovery and Protection Fund to Forest Service regions for the purpose of conducting a limited number (as determined by the Secretary) of advance recovery projects on Federal forest lands. The regional foresters of the Forest Service (or the designees of the regional foresters) shall select the advance recovery projects to be carried out under this section. However, the selection of an advance recovery project in a State shall be made in consultation with the State forester of that State.

(b) SELECTION CRITERIA.—In selecting advance recovery projects, the regional foresters (and their designees) shall comply with the requirements of subsections (e)(2) and (f) of section 4 applicable to the selection of recovery projects under the national pilot program. Priority shall be given to projects on those Federal forest lands—

(1) where the Regional Forester (in consultation with the appropriate State forester) has identified a significant risk of loss to human life and property or serious resource degradation or destruction due to wildfire, disease epidemic, severe insect infestation, wind, flood, or other causes; or

(2) for which thorough forest resource assessments have been completed, including Federal forest lands in the Pacific Northwest, the Interior Columbia Basin, the Sierra Nevada, the Southern Appalachian Region, and the northern forests of Maine, Vermont, New Hampshire, and New York.

(c) **INITIATION OF PROJECT LEVEL ANALYSIS.**—Not later than 30 days after the date on which the Secretary allocates amounts from the Forest Recovery and Protection Fund under subsection (a), the regional forester (or the designees of the regional forester) in each region to which amounts have been allocated shall initiate project planning, including any activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), for the advance recovery projects to be conducted in that region.

(d) **EFFECT OF FAILURE TO COMPLY WITH TIME PERIODS.**—If the deadline for the initiation of project planning specified under subsection (c) is not met for any advance recovery project, the Secretary may not use amounts in the Forest Recovery and Protection Fund to carry out the project and shall promptly reimburse the Fund for any expenditures previously made from the Fund in connection with the project.

(e) **REPORTING REQUIREMENTS.**—Not later than the implementation date, and annually thereafter until completion of all advance recovery projects, the Secretary shall submit to Congress a report on the implementation of advance recovery projects. The report shall consist of a description of the accomplishments of each advance recovery project and incorporate the requirements of section 4(g)(3).

(f) **NOTICE OF AVAILABILITY.**—The Secretary shall publish in the Federal Register a notice of the availability of each report to Congress required by this section.

(g) **APPLICABILITY OF FEDERAL LAWS.**—Nothing in this section exempts any advance recovery project authorized or required by this section from any Federal law.

#### SEC. 7. MONITORING PLAN.

(a) **PLAN REQUIRED.**—Not later than the implementation date, the Secretary shall prepare and submit to Congress a monitoring plan for the national pilot program of sufficient scope to monitor the implementation and effectiveness of recovery projects conducted under sections 4 and 6.

(b) **RECOMMENDATIONS OF SCIENTIFIC ADVISORY PANEL.**—In preparing the monitoring plan required under subsection (a), the Secretary shall consider the monitoring plan recommended by the Scientific Advisory Panel under section 5(f). The Secretary shall include with the monitoring plan submitted to Congress under subsection (a) an explanation of any significant differences between the recommendations of the Scientific Advisory Panel and the monitoring plan actually submitted to Congress.

#### SEC. 8. FOREST RECOVERY AND PROTECTION FUND.

(a) **ESTABLISHMENT.**—There is established on the books of the Treasury a fund to be known as the "Forest Recovery and Protection Fund". The Chief of the Forest Service shall be responsible for administering the Fund.

(b) **CREDITS TO FUND.**—During the time period specified in section 9(a), there shall be credited to the Fund the following:

(1) Amounts authorized for and appropriated to the Fund.

(2) Unobligated amounts in the roads and trails fund provided for in the fourteenth paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501) as of the date of the enactment of this Act, and all amounts which would otherwise be deposited in such fund after such date.

(3) Amounts required to be reimbursed to the Fund under subsection (d) or section 6(d).

#### (c) USE OF FUND.—

(1) **AUTHORIZED USES.**—Amounts in the Fund shall be available to the Secretary, without further appropriation—

(A) to carry out the national pilot program;

(B) to plan, carry out, and administer recovery projects under sections 4 and 6;

(C) to administer the Scientific Advisory Panel; and

(D) to pay for the monitoring program established under section 7.

(2) **EFFECT OF COMPLETION.**—Upon completion of all recovery projects for which planning was initiated under section 4(e)(1), and the contracts identified in section 9(c), all remaining amounts in the Fund shall be transferred to the general fund of the Treasury.

(d) **EFFECT OF FAILURE TO COMPLY WITH ANNUAL DEADLINES.**—

(1) **PROHIBITION ON USE OF FUND.**—The Secretary may not use amounts in the Fund—

(A) to allocate monies to regions of the Forest Service during a fiscal year under section 4(d)(1), if the deadlines specified in such section are not met for that fiscal year; or

(B) to carry out a recovery project, if the final decision on project planning is not initiated within the time frame required by section 4(e)(1).

(2) **FUND REIMBURSEMENT.**—If the deadlines referred to in paragraph (1)(A) are not met for a particular fiscal year, the Secretary shall promptly reimburse the Fund for any expenditures previously made from the Fund in connection with the allocation of monies to regions of the Forest Service during that fiscal year. If the time frame referred to in paragraph (1)(B) is not met for a particular recovery project, the Secretary shall promptly reimburse the Fund for any expenditures previously made to carry out that recovery project.

(e) **LIMITATION ON OVERHEAD AND OTHER EXPENSES.**—

(1) **OVERHEAD EXPENSES.**—The Secretary shall not allocate or assign overhead expenses to the Fund or to any of the activities or programs authorized by sections 4 through 10.

(2) **SCIENTIFIC ADVISORY PANEL.**—The Secretary may allocate up to \$1,000,000 from the Fund to finance the operation of the Scientific Advisory Panel.

(3) **MONITORING PLAN.**—The Secretary may allocate up to \$500,000 from the Fund during a fiscal year to implement the monitoring plan established under section 7.

(4) **PROHIBITION ON USE OF ANY FUNDS TO CONSTRUCT NEW, PERMANENT ROADS.**—For purposes of the recovery projects authorized by this Act, amounts in the Fund shall not be used, either directly through direct allocations from the Fund, or indirectly through allocations to recovery projects from other Forest Service accounts, for the construction of new, permanent roads.

(f) **TREATMENT OF REVENUES FROM RECOVERY PROJECTS.**—All revenues generated by recovery projects undertaken pursuant to sections 4 and 6 shall be paid, at the end of each fiscal year, to the States pursuant to the formula for distribution to the States under the sixth paragraph under the heading "FOREST SERVICE" in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; commonly known as the Weeks Act; 16 U.S.C. 500).

(g) **CONFORMING AMENDMENT.**—The fourteenth paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), is amended by

adding at the end the following new sentence: "During the term of the Forest Recovery and Protection Fund, as established by section 8 of the Forest Recovery and Protection Act of 1998, amounts reserved under the authority of this paragraph shall be deposited into that Fund."

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act for the fiscal year in which this Act is enacted and each fiscal year thereafter through September 30, 2005, or September 30 of the fifth full fiscal year following the implementation date, whichever is later.

(b) **DEPOSIT IN FUND.**—All sums appropriated pursuant to this section shall be deposited in the Forest Recovery and Protection Fund.

(c) **EFFECT ON EXISTING PROJECTS.**—Any contract regarding a recovery project entered into before the end of the final fiscal year specified in subsection (a), and still in effect at the end of such fiscal year, shall remain in effect until completed pursuant to the terms of the contract.

#### SEC. 10. AUDIT REQUIREMENTS.

(a) **ANNUAL REPORT VERIFICATION.**—At the request of any committee chairman identified in section 5(c), the Comptroller General shall submit to Congress a report assessing the accuracy of an annual report prepared by the Secretary pursuant to section 4(g). The Comptroller General's report shall be completed as soon as practicable following the date of the publication by the Secretary of the annual report for which the request under this subsection was made.

(b) **NATIONAL PILOT PROGRAM AUDIT.**—At the request of any committee chairman identified in section 5(c), the Comptroller General shall conduct an audit of the national pilot program at the end of the fourth full fiscal year following the implementation date.

(c) **ELEMENTS OF AUDIT.**—The audit under subsection (b) shall include an analysis of the following:

(1) Whether advance recovery projects, the national pilot program, and the administration of the Forest Recovery and Protection Fund were carried out in a manner consistent with the provisions of this Act.

(2) The impact of the advance recovery projects conducted under section 6 on the development and implementation of the national pilot program.

(3) The extent to which the recommendations of the Scientific Advisory Panel were used to develop the standards and criteria established under section 4(b) and the monitoring plan under section 7.

(4) The extent to which the Secretary has carried out the monitoring plan required under section 7 and the extent to which the monitoring plan has been successful in monitoring the implementation and effectiveness of recovery projects.

(5) The current and projected future financial status of the Forest Recovery and Protection Fund.

(6) Any cost savings or efficiencies achieved under the national pilot program.

(7) Any other aspect of the implementation of this Act considered appropriate by the chairman or chairmen requesting the audit.

#### SEC. 11. FOREST INVENTORY AND ANALYSIS.

(a) **PROGRAM REQUIRED.**—The Secretary shall establish a program to inventory and analyze, in a timely manner, public and private forests in the United States.

(b) **ANNUAL STATE INVENTORY.**—Subject to subsection (c), not later than the end of each



full fiscal year beginning after the date of the enactment of this Act, the Secretary shall prepare for each State, in cooperation with the State forester for that State, an inventory of the forests in that State. For purposes of preparing the inventory for a State, the Secretary shall measure annually 20 percent of all sample plots that are included in the inventory program for that State. Upon completion of each annual inventory, the Secretary shall make available to the public a compilation of all data collected from the year's measurements of sample plots and any analysis of such samples.

(c) **MODIFICATIONS.**—At the request of the State forester (or equivalent State officer) of a State, the Secretary may modify for that State the time interval for preparing forest inventories, the percentage of sample plots to be measured annually, or the requirements for making data available to the public required under subsection (b), except that 100 percent of the sample plots in the inventory program for that State shall be measured, appropriate analysis of such samples shall be conducted, and corresponding data shall be compiled during the time intervals described in subsection (d).

(d) **5-YEAR REPORTS.**—At intervals not greater than every five full fiscal years after the date of the enactment of this Act, the Secretary shall prepare, publish, and make available to the public a report, prepared in cooperation with State foresters, that—

(1) contains a description of each State inventory of forests, incorporating all sample plot measurements conducted during the five years covered by the report;

(2) displays and analyzes on a nationwide basis the results of the State reports required by subsection (b); and

(3) contains an analysis of forest health conditions and trends over the previous two decades, with an emphasis on such conditions and trends during the period subsequent to the immediately preceding report under this subsection.

(e) **NATIONAL STANDARDS AND DEFINITIONS.**—To ensure uniform and consistent data collection for all public and private forest ownerships and each State, the Secretary shall develop, in consultation with State foresters and Federal land management agencies not within the jurisdiction of the Secretary, and publish national standards and definitions to be applied in inventorying and analyzing forests under this section. The standards shall include a core set of variables to be measured on all sample plots under subsection (b) and a standard set of tables to be included in the reports under subsection (d).

(f) **PROTECTION FOR PRIVATE PROPERTY RIGHTS.**—The Secretary shall obtain written authorization from property owners prior to collecting data from sample plots located on private property pursuant to subsections (b) and (c). Nothing in this section shall be construed to authorize the Secretary (directly or through the use of State foresters or other persons) to regulate privately held forest lands, the use of privately held forest lands, or the resources located on privately held forest lands.

(g) **STRATEGIC PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a strategic plan to implement and carry out this section, including the annual updates required by subsection (b), any modifications made to pursuant to subsection (c), and the reports required by subsection (d). The strategic plan shall describe in detail the following:

(1) The financial resources required to implement and carry out this section, including the identification of any resources required in excess of the amounts provided for forest inventorying and analysis in recent appropriations Acts.

(2) The personnel necessary to implement and carry out this section, including any personnel in addition to personnel currently performing inventorying and analysis functions.

(3) The organization and procedures necessary to implement and carry out this section, including proposed coordination with Federal land management agencies and State foresters.

(4) The schedules for annual sample plot measurements in each State inventory required by subsection (b), as modified for that State under subsection (c), within the first five-year interval after the date of the enactment of this Act.

(5) The core set of variables to be measured in each sample plot under subsections (b) and (c) and the standard set of tables to be used in each State and national report under subsection (d).

(6) The process for employing, in coordination with the Department of Energy and the National Aeronautics and Space Administration, remote sensing, global positioning systems, and other advanced technologies to carry out this section, and the subsequent use of such technologies.

The CHAIRMAN. The bill shall be considered for amendment under the 5-minute rule for a period not to extend beyond 1:30 p.m. today.

During consideration of the bill for amendment, the Chair may accord priority and recognition to a member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. SMITH OF OREGON

Mr. SMITH of Oregon. Mr. Chairman, I offer a technical amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Oregon:

Page 33, beginning on line 4, strike section 11.

Mr. SMITH of Oregon. Mr. Chairman, quickly, this is the Forest Inventory Analysis portion of this bill, which has already been included in the research bill, which has been conferenced and is rapidly on its way to the President. It is a very important part of this whole program, yet it is unnecessary in this bill, and therefore, the reason to strike.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. SMITH).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

Mr. BOEHLERT. Mr. Chairman, I move to strike the last word.

I have an amendment in the nature of a substitute drafted, but I do not intend to offer it. The substitute would enable the bill's proponents to do what they claim they want to do: get a bill signed into law. This substitute makes some simple changes to the bill, which would not impair the program, but that would allow the bill to be signed.

□ 1130

The substitute will protect forests and people. The bill, I am afraid, will end up helping no one. Only ideology stands between the House and a significant bill that will improve the health of our Nation's forests.

My substitute makes three changes in the original bill. The first would prevent the construction of new roads under this bill. This is the change I had planned to offer in my original amendment that was printed in the RECORD.

Let me be clear. My roads provision deals only with road construction under the program created by this bill. It would have no impact on road construction under any other Forest Service program, so I hope we can have a debate on this that focuses solely on the issue at hand; that is, should road building be a part of the forest health program in this bill? I think the answer is clearly no.

Forest health problems occur primarily in areas where logging has occurred. Those areas already are accessible by roads. Therefore, if this bill is designed to remedy forest health problems, there is no reason to build any roads. The only reason to build roads would be to facilitate more logging, including in roadless areas, and the bill's sponsors claim that that is not the purpose of the bill.

I am sure the chairman will point out that this bill already bans the construction of permanent roads. That is true. The inclusion of that language was a significant concession on his part. But temporary roads are almost as damaging as permanent ones. They can cause erosion and other problems while they are in use, and for years thereafter. As erosion increases, streams are damaged. As one environmentalist said to me, the fish do not know whether the road is permanent or temporary.

The bill as it stands allows environmental degradation to occur without any balancing benefit. The temporary roads will cause ecological damage, but they are not needed to fulfill the purposes of this bill.

Everyone around here who sings the praises of cost-benefit analysis ought to be appalled by a cost-benefit ratio where the benefit is zero. My substitute will ensure that we do not build roads under a program that does not require them.

My second change would be a boon to the American taxpayer. Under the bill, any revenues generated by timber sales under the health program go to the States. This is bad in two ways. First, it deprives the Federal taxpayer of revenues gained from national, that is Federal, forests. No existing Forest Service programs return all revenues to the States.

Second, the bill's scheme creates an incentive to log in a program that is not designed to promote logging. Under the bill, State and local officials will pressure the Forest Service to log to give more revenue. We want decisions on logging to be based on forest sites, not local economics.

Third, my substitute makes a number of technical changes, many of which had already been welcomed by the staff of the Committee on Agriculture. Some of these changes are of greater advantage to the bill's sponsors than they are to the opponents, but their primary impact is to guarantee all existing environmental reviews are carried out under this new program. That is the sponsors' stated intent, and these changes would ensure that their intent is realized.

This substitute presents Congress with a simple choice: we can function as an ideological debating society, spending time on bills that cannot possibly become law, like the bill before us today, or we can make some changes that ensure that this forest health program actually functions as described, and that the program actually becomes law. To me, that seems like an easy choice.

I am not going to offer this substitute because it has been developed at the last minute, out of necessity, because of the dynamics of this process, with changes being made from hour to hour. But it demonstrates how easy it would have been to craft a signable bill. I urge defeat of this bill so we can start again and end up with a law that will make a difference.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first I want to thank the gentleman from New York (Mr. BOEHLERT) for all of the work he has attempted to do on this legislation and the substitute that he was working on, because I think he addressed a number of important problems that certainly are not cured or addressed in this legislation, the most fundamental of which is the roads and the ability to go into roadless areas under this legislation.

As we have heard time and again in our committee, the most degrading conditions in the forest are those due to past mismanagement, which include the clear-cutting of old growth, and which leads, then, to very crowded, less fire-resistant, disease resistant second growth, the roadbuildings, overgrazing of these lands, and the fire suppression policies.

We do not need roads to go back and to improve the health of those forests and restore them to make them viable for us. This legislation does not do that. Instead, this legislation pushes forward, including road construction, in the name of forest health.

I think the point is this, that this legislation works on the premise that the only way you can restore the health to the forest is to engage in large-scale commercial logging once again to improve forest health. All of the past practices over the past 50 years suggest that it is just the opposite of that, that that is exactly what got us into this crisis. It was not just that these forests all of a sudden have become susceptible to fire and diseases, but because of the management in the past, that relied heavily on commercial logging that far outstripped the sustainability of the forests to engage in that level of cut.

Somebody said earlier that they wanted us to remember that trees are renewable resources. I would like to take them to vast areas of southern Oregon, vast areas of northern California, where 30 years ago, 20 years ago, 15 years ago, trees were replanted because of the cuts on steep grades, and in unsustainable levels. They planted trees.

If you go out on those 30-year cuts you will find those trees barely come up to your knees. Why? Because the manner in which they practiced forestry, they cut down the trees, the top soil gets washed down into the streams, it kills the streams, kills the fishery, and the replanting has no value. It has no value.

What are we left with? We are left with high elevation desert landscapes that are denuded of any ability to support forests. Do Members know what? The Forest Service and the timber industry count those replants as sustaining the yields so that it can cut more trees, because they say in 30 years those trees will be on line. It is 30 years, Mr. Chairman, and those trees are not fit for a Christmas tree in a one-room apartment, but they want to pretend that somehow that is commercial forests, and the way to get these forests healthy is to continue that process.

It has been discredited. This Congress has refused to engage in that practice. We went through a great deal of pain in the Pacific Northwest, in the State of California because of this kind of mismanagement, and in other areas of the Rocky Mountain northern tier. We are not going to go back to those days. It is not supported by our communities, it is not supported by the constituents throughout our States.

Mr. Chairman, this legislation in fact again allows large-scale commercial timbering in the Sierra Nevada Mountains. We have received report after report in recent times here that the Si-

erra Nevada is absolutely a fragile forest, that we have to make some very difficult decisions if we are going to maintain any of the late succession of old growth forest, if we are going to retain any of the ancient forests in the Sierra Nevada.

Yet, this legislation will allow them as part of these plans to push right on into those roadless areas, the last vestiges we have in a State of 30 million people, a State soon to be at 45 million people, that want to use these forests with their families for a whole series of multiple uses. They do not want them sacrificed under a disguised salvage policy.

This Nation looked on in shock as this country was shut down over a salvage rider on an appropriations bill, as we shut down the government when the President would not accept it. They could not believe that would happen. Finally, we sorted it out and Congress rejected that approach to forest practices.

This legislation is designed to go back to those practices. They have dressed it all up, they have camouflaged it the best they can, but we are back to basic salvage policy.

The CHAIRMAN. The time of the gentleman from California (Mr. MILLER) has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. MILLER of California. Mr. Chairman, we are back to the basic problems. Not only do they raid the national forests with the practice allowed under this legislation, they raid the national Treasury. They raid the national Treasury, because all of the money that would be derived from selling these trees is not put into the Treasury for the taxpayers of this country, who paid for this function, who you are asking to put up \$100 million over the next 5 years. They do not get a return on the money they put. No. We give it to the local community, to try to provide an incentive to cut more trees. That makes no sense at all. It makes no sense at all, and we should not do it.

Finally, let me say that this continues the process of creating unappropriated funds. Without regard to annual appropriations, a fund is created here. We sat in shock, Democrats, Republicans, liberals, and conservatives, in our committee hearing yesterday, members of the Committee on the Budget, the Committee on Appropriations, the Committee on Resources, as we listened to the Inspector General, the CRS, the GAO tell us of the shambles, the unaccountability, the loss, the waste, the abuse of money within these funds that no longer come back to Congress and are accountable. We ought not to create those funds and recreate that mistake.

For reasons of fiscal policy, for reason of forestry policy, this legislation



should be rejected. This is legislation that cannot be fixed. Members ought to vote against it.

AMENDMENT OFFERED BY MR. BASS

Mr. BASS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BASS:

Add at the end the following new section:  
**SEC. . NORTHERN FOREST STEWARDSHIP.**

(a) **SHORT TITLE.**—This section may be cited as the "Northern Forest Stewardship Act".

(b) **DECLARATIONS.**—Congress declares as follows:

(1) The 26,000,000-acre Northern Forest region is an extraordinary resource. The forests in the region are rich in natural resources and values cherished by residents and visitors: timber, fiber, and wood for forest products and energy supporting successful businesses and providing stable jobs for residents; lakes, ponds, rivers, and streams unspoiled by pollution or crowding human development; tracts of land for wildlife habitat and recreational use, and protected areas to help preserve the biological integrity of the region. This section is enacted to implement the Northern Forest Lands Council's vision of the Northern Forest as a landscape of interlocking parts and pieces, reinforcing each other: local communities, industrial forest land, family and individual ownerships, small woodlots, recreation land, and public and private conservation land.

(2) Current land ownership and management patterns have served the people and forests of the region well, but conditions that up to now have conserved the Northern Forest are no longer capable of ensuring perpetuation of the forests; public policies relating to the Northern Forest should seek to reinforce rather than replace the patterns of ownership and use of large, unbroken forest areas that have characterized the land in the Northern Forest for decades.

(3) This section effectuates certain recommendations of the Northern Forest Lands Council that were developed with broad public input and the involvement of Federal, State, and local governments. The actions described in this section to implement those recommendations are most appropriately directed by the Northern Forest States, with assistance from the Federal Government, as requested by the States. Implementation of the recommendations should be guided by the fundamental principles laid out by the Northern Forest Lands Council report. Those principles provide the foundation for the intent of this section: to support the primary role of the Northern Forest States in the management of their forests, to support the traditions of the region, to emphasize the rights and responsibilities of the landowners, and to advance new mechanisms for cooperative conservation of the Northern Forest lands and its resources for future generations.

(c) **SUPPORT FOR SUSTAINABLE FOREST MANAGEMENT.**—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture, acting through the Chief of the Forest Service, may provide technical assistance under the Cooperative Forestry Act of 1978 (16 U.S.C. 2101 et seq.) to—

(1) support a State-based process, directed by the State, to define benchmarks of sustainability for a variety of forest types to achieve the principles of sustainability developed by the Northern Forest Lands Council;

(2) publicize, explain the application of, and distribute the benchmarks to forest landowners; and

(3) educate the public that timber harvesting is a responsible forest use so long as the long-term ability of the forest to continue producing timber and other benefits is maintained.

(d) **NORTHERN FOREST RESEARCH COOPERATIVE.**—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture (acting through the Northeastern Forest Experiment Station and the Chief of the Forest Service) may work with the State, the land grant universities of the State, natural resource and forestry schools, other Federal agencies, and other interested parties in assisting the State in coordinating ecological and economic research, including—

(1) research on ecosystem health, forest management, product development, economics, and related fields;

(2) research to help the States and landowners achieve the principles of sustainability under subsection (c) as recommended by the Northern Forest Lands Council;

(3) technology transfer to the wood products industry on efficient processing, pollution prevention, and energy conservation;

(4) dissemination of existing and new information to landowners, public and private resource managers, State forest citizen advisory committees, and the general public through professional associations, publications, and other information clearinghouse activities; and

(5) analysis of strategies for the protection of areas of outstanding ecological significance, high biodiversity, and the provision of important recreational opportunities, including strategies for areas identified through State land conservation planning processes.

(e) **INTERSTATE COORDINATION STRATEGY.**—At the request of 2 or more of the Governors of the States of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture, acting through the Chief of the Forest Service, may make a representative available to meet with representatives of the States to coordinate the implementation of Federal and State policy recommendations identified in the Northern Forest Lands Council report.

(f) **LAND CONSERVATION.**—

(1) **FEDERAL ASSISTANCE.**—At the request of the Governor of the State of Maine, New Hampshire, Vermont, or New York, the Secretary of Agriculture (acting through the Chief of the Forest Service) and the Secretary of the Interior (acting through the Director of the National Park Service and Director of the United States Fish and Wildlife Service) may provide technical and financial assistance for a State-managed public land conservation planning process and land conservation initiatives directed by the State that employ a variety of conservation tools, consistent with the recommendations of the Northern National Forest Lands Council.

(2) **PROGRAM DEVELOPMENT.**—The planning process for a State described in paragraph (1) shall establish a goal-oriented land conservation program that includes, at the discretion of the Governor—

(A) identification of, and setting of priorities for the acquisition of, fee or less-than-fee interests in exceptional and important lands, in accordance with criteria set by the State that are consistent with the recommendations of Northern Forest Lands Council, including—

(1) places offering outstanding recreational opportunities, including locations for hunt-

ing, fishing, trapping, hiking, camping, and other forms of back-country recreation;

(ii) recreational access to river and lake shorelines;

(iii) land supporting vital ecological functions and values;

(iv) habitats for rare, threatened, or endangered natural communities, plants, or wildlife;

(v) areas of outstanding scenic value and significant geological features; and

(vi) working private forest lands that are of such significance or so threatened by conversion that conservation easements should be purchased;

(B) acquisition of land and interests in land only from willing sellers, with community support consistent with Federal, State, and local laws applicable in each State on the date of enactment of this Act;

(C) involvement of local governments and landowners in the planning process in a meaningful way that acknowledges their concerns about public land acquisition;

(D) recognition that zoning, while an important land use mechanism, is not an appropriate substitution for acquisition;

(E) assurances that unilateral eminent domain will be used only with the consent of the landowner to clear title and establish purchase prices;

(F) efficient use of public funds by purchasing only the rights necessary to best identify and protect exceptional values;

(G) consideration of the potential impacts and benefits of land and easement acquisition on local and regional economies;

(H) consideration of the necessity of including costs of future public land management in the assessment of overall costs of acquisition;

(I) minimization of adverse tax consequences to municipalities by making funds available to continue to pay property taxes based at least on current use valuation of parcels acquired, payments in lieu of taxes, user fee revenues, or other benefits, where appropriate;

(J) identification of the potential for exchanging public land for privately held land of greater public value; and

(K) assurances that any land or interests in land that are acquired are used and managed for their intended purposes.

(3) **WILLING SELLER.**—No Federal funds made available to carry out this section may be expended for acquisition of private or public property unless the owner of the property willingly offers the property for sale.

(4) **LAND ACQUISITION.**—

(A) **FUNDING.**—After completion of the planning process under paragraph (2), a Federal and State cooperative land acquisition project under this section may be carried out with funding provided in partnership with the Federal Government or with funding provided by both the Federal Government and a State government.

(B) **OBJECTIVES.**—A cooperative land acquisition project funded under this section shall promote State land conservation objectives that correspond with the recommendations of the Northern Forest Lands Council.

(5) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated under sections 5 and 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–7, 4601–8) such sums as are necessary to carry out the purposes described in this subsection.

(g) **SENSE OF CONGRESS CONCERNING FEDERAL TAX POLICY.**—It is the sense of Congress that—

(1) certain Federal tax policies work against the long-term ownership, management, and conservation of forest land in the Northern Forest region; and

(2) Congress and the President should enact additional legislation to address those tax policies as soon as possible.

(h) LANDOWNER LIABILITY EXEMPTION.—

(1) FINDINGS.—Congress finds that—

(A) many landowners keep their land open and available for responsible recreation; and

(B) private lands help provide important forest-based recreation opportunities for the public in the Northern Forest region.

(2) SENSE OF CONGRESS.—It is the sense of Congress that States and other interested persons should pursue initiatives that—

(A) strengthen relief-from-liability laws to protect landowners that allow responsible public recreational use of their lands;

(B) update relief-from-liability laws to establish hold-harmless mechanisms for landowners that open their land to public use, including provision for payment by the State of the costs of a landowner's defense against personal injury suits and of the costs of repairing property damage and removing litter;

(C) provide additional reductions in property taxes for landowners that allow responsible public recreational use of their lands;

(D) provide for purchases by the State of land in fee and of temporary and permanent recreation easements and leases, including rights of access;

(E) foster State and private cooperative recreation agreements;

(F) create recreation coordinator and landowner liaison and remote ranger positions in State government to assist in the management of public use of private lands and provide recreation opportunities and other similar services;

(G) strengthen enforcement of trespass, antilittering, and antidumping laws;

(H) improve recreation user education programs; and

(I) improve capacity in State park and recreation agencies to measure recreational use (including types, amounts, locations, and concentrations of use) and identify and address trends in use before the trends create problems.

(i) NONGAME CONSERVATION.—

(1) FINDINGS.—Congress finds that—

(A) private landowners often manage their lands in ways that produce a variety of public benefits, including wildlife habitat; and

(B) there should be more incentives for private landowners to exceed current forest management standards and responsibilities under Federal laws.

(2) SENSE OF CONGRESS.—It is the sense of Congress that Congress should make it a priority to consider legislation that supports the conservation of nongame fish and wildlife and associated recreation activities on public and private lands and does not replace, substitute, or duplicate existing laws that support game fish and wildlife.

(j) WATER QUALITY.—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Administrator of the Environmental Protection Agency, in cooperation with the Secretary of Agriculture and the Secretary of the Interior, may provide technical and financial assistance to assess water quality trends within the Northern Forest region.

(k) RURAL COMMUNITY ASSISTANCE.—

(1) IN GENERAL.—At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary of Agriculture may provide technical and finan-

cial assistance to the State, working in partnership with the forest products industry, local communities, and other interests to develop technical and marketing capacity within rural communities for realizing value-added opportunities in the forest products sector.

(2) RURAL COMMUNITY ASSISTANCE PROGRAM.—Subject to the availability of appropriations, funds from the rural community assistance program under paragraph (1) shall be directed to support State-based public and private initiatives to—

(A) strengthen partnerships between the public and private sectors and enhance the viability of rural communities;

(B) develop technical capacity in the utilization and marketing of value-added forest products; and

(C) develop extension capacity in delivering utilization and marketing information to forest-based businesses.

(l) NO NEW AUTHORITY TO REGULATE LAND USE.—

(1) NO NEW AUTHORITY.—Nothing in this section creates new authority in any Federal agency to regulate the use of private or public land in any State.

(2) NO EFFECT ON OTHER LAW.—Nothing in this section affects, modifies, or amends any law regarding the management of any Federally owned land within the boundaries of any Federal unit.

(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out subsections (c), (d), (e), (f), (j), and (k) of this section and section 2371 of the Rural Economic Development Act of 1990 (7 U.S.C. 6601) in the States of Maine, New Hampshire, New York, and Vermont.

Mr. BASS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. BASS. Mr. Chairman, I rise today to offer the Northern Forest Stewardship Act as an amendment to the forest health bill offered by the gentleman from Oregon (Mr. SMITH). This amendment will give the States of Maine, New Hampshire, Vermont, and New York, the tools they need to provide for the long-term management of their forests.

The amendment I am offering today grew from the 1994 report of the Northern Forest Lands Council, which the gentleman from Mississippi mentioned in his opening statement. The Council was congressionally mandated in 1991, and tasked with determining the best way to preserve the unique forests that exist across the northern portion of these four States.

The product of the Council's work was a report that recognizes the importance of promoting responsible, private stewardship of forest lands, and utilizing government resources to ensure that these lands remain commercially and aesthetically productive for generations to come.

During development of the Council's report, nearly 3,000 people attended

nearly 20 listening sessions and 12 open houses. Furthermore, the Council received 1,676 comments on the draft report, many from Maine, New Hampshire, New York, Vermont, and 165 from other States outside of New England.

The amendment that I am offering today is based on the report of the Council, which recognizes the current land management in the region, where most of the forest land is privately held, has been successful. The amendment seeks to reinforce these patterns of responsible land management.

The specific recommendations were developed with broad public input, involvement of Federal, State and local governments, and the goal of these provisions is, and I quote from the amendment, to "support the primary role of the Northern Forest States in the management of their forests, to support the traditions of the region, to emphasize the rights and responsibilities of the landowners, and to advance new mechanisms for cooperative conservation of the Northern Forest lands."

To make clear that the bill is not intended to inject more Federal government into land management, each substitute section of this amendment begins with the words "At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont," and goes on from there.

Furthermore, Section 12 specifically states, "Nothing in this act creates new authority in any Federal agency to regulate the use of private or public lands." In short, Mr. Chairman, this bill comes from the State and local level, not the Federal level, and will only provide benefits at the State and local level.

Some may be concerned that this bill has not been fully vetted in the hearing process. To this I respond that it has been fully vetted at the local level. The Northern Forest Lands Council held hundreds and hundreds of hours of public hearing on this bill, on this concept, and the open process has allowed all interested parties to participate.

Another concern I have heard is that the language of this bill is a land grab. Nothing could be farther from the truth. In fact, the amendment specifically states that the Federal Government can only engage in land acquisition at the request of the State, and with a willing seller.

Furthermore, any acquisition that occurs as a result of this amendment must have community support, a provision that will make the conservation efforts in the northern forests even more locally driven.

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Mr. Chairman, earlier, at the end of the summer last year, I traveled to the States of Wyoming and Montana and Idaho, and I know and I understand the problems that they face. We also have



problems in the Northeast. We have national forests. Sixteen percent of my district is a national forest, and we need to plan for the good and proper use of these forests over the next 20 to 30 years, not only the national forests but the land outside of those forests.

Mr. Chairman, I urge my colleagues to accept this amendment to the bill before us today.

Mr. BASS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Ms. FURSE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just would like to address a couple of issues. I want to congratulate the gentleman from New York (Mr. BOEHLERT) on trying to bring this scientific management to the issue before us. We do need scientific management of our forests, but forest management is a far more complicated issue than flying over a forest in a helicopter. What we have to understand is that it is complicated by many, many factors.

One of the factors is whether or not logging, large-scale logging, will raise the temperature of the streams in which our salmon spawn. Well, is that just an environmental issue? No, it is an economic issue, because all across the West we are finding that the families who have relied on fishing as a livelihood, that has been diminished because of the diminishment of the ecology in which those salmon spawn.

Logging has a tremendous effect on salmon and so does forest management, but I will admit freely that I am not a scientist. So I have looked carefully at a letter which was sent by 100 scientists. On this list there is a scientist from every university, I would suppose, from every university in this country. This is not a western scientist group or an eastern scientist group. They are throughout the country.

Mr. Chairman, I want to just quote from them because they are the people who understand the complexity of this issue.

They say that, H.R. 2515 is reminiscent of the "Salvage Logging Rider." They say that it would create community disharmony and less healthy forests. They go on to say, and I am quoting, "There is little scientific evidence that the national forests are suffering from a widespread forest health crisis." They go on to say, "Moreover, ecological problems in our national forests are not going to be addressed by increased commercial logging. Not only is salvage logging not necessary for forest restoration, it can cause additional damage to watersheds and fish and wildlife habitats, as well as increased severity and probability of uncontrolled natural fire."

Mr. Speaker, I get outside the quote to remind my colleague from Montana, who brought up the whole idea of forest fires, this letter goes on to say, "Scientists with the Sierra Nevada Ecosystem Project have said that logging has increased fire severity more than any other human activity due to increased fuel accumulation and changes in local microclimate."

From the Pacific Northwest, a scientific assessment by the Federal Government's Interior Columbia Basin Ecosystem Management Project found that current salvage logging practices are, quote, "not compatible with contemporary ecosystem management."

The scientists go on to say that where there are problems in the forest, "The Forest Service already has the authority to undertake the appropriate activities." They say for these reasons, new legislation that provides a broad mandate to institute, quote, "recovery projects" on potentially very large national forest areas is not needed.

They end by saying, and I quote: "We hope you will seriously consider our concerns about H.R. 2515. This is not legislation that will protect forest ecosystems, and it should not be passed by the United States Congress." I end the quote.

Mr. Chairman, these are the words of scientists, not of people here in Washington, D.C. These are scientists on the ground, in our universities, and I think we should listen to them.

Mr. Chairman, I submit the following for the RECORD.

#### OVER 100 SCIENTISTS OPPOSE THE "FOREST PROTECTION AND RESTORATION ACT"

Kenneth P. Able, Ph.D., Department of Biology, University of Albany, SUNY, Albany, New York; Susan B. Adams, Ph.D. Candidate, Flathead Lake Biological Station; David E. Allen, Ph.D., College of Business, Northern Michigan University, Marquette, Michigan; Professor R. Thomas Alley, Ph.D., Clemson University, Clemson, South Carolina; G. Thomas Bancroft, Ph.D., Vice President, Ecology and Economics Research Department, The Wilderness Society, Washington, D.C.; Richard C. Banks, Ph.D., USGS Patuxent Wildlife Research Center, Washington, D.C.; Robert G. Beason, Ph.D., State University of New York, Geneseo, New York; Craig W. Benkman, Ph.D., Department of Biology, New Mexico State University, Las Cruces, New Mexico; David H. Benzing, Ph.D., Department of Biology, Oberlin College, Oberlin, Ohio; David E. Blockstein, Ph.D., The Ornithological Council, Washington, D.C.; Daniel T. Blumstein, Ph.D., Postdoctoral Associate, Department of Systematics and Ecology, University of Kansas, Lawrence, Kansas; P. Dee Boersma, Ph.D., Professor of Zoology, University of Washington, Seattle, Washington; Richard Bradley, Ph.D., Associate Professor of Zoology, Ohio State University, Marion Ohio; Richard Brewer, Ph.D., Western Michigan University, Kalamazoo, Michigan; Len Broberg, Ph.D., Environmental Studies Program, University of Montana, Missoula, Montana; Paul R. Cabe, Ph.D., Biology Department and Environmental Studies Faculty, Saint Olaf College, Northfield, Minnesota; William A. Calder, Ph.D., Department of Ecology and

Evolutionary Biology, University of Arizona, Tucson, Arizona; Kenneth L. Campbell, Ph.D., Department of Biology, University of Massachusetts-Boston, Boston, Massachusetts; Christopher Camuto, Author, Buena Vista, Virginia; Jot D. Carpenter, FASLA, Professor of Landscape Architecture, The Ohio State University, Columbus, Ohio.

Douglas R. Cornett, Ph.D., Biologist, Northwoods Wilderness Recovery, Inc., Marquette, Michigan; Robert R. Curry, Ph.D., Watershed Institute, California State University, Monterey, California; Calvin DeWitt, Ph.D., Institute for Environmental Studies, University of Wisconsin-Madison, Director, Au Sable Institute, Madison, Wisconsin; Chris Elphick, Ph.D., University of Nevada, Reno, Nevada; George W. Folkerts, Ph.D., Professor of Zoology and Wildlife Science, Auburn University, Auburn, Alabama; Christopher A. Frissell, Ph.D., Flathead Lake Biological Station, The University of Montana, Polson, Montana; Barrie K. Gilbert, Ph.D., Senior Scientist, Department of Fisheries and Wildlife, Utah State University, Logan, Utah; Nancy B. Grimm, Ph.D., Arizona State University, Tempe, Arizona; Richard S. Grippio, Ph.D., Assistant Professor of Environmental Biology, Department of Biological Sciences, Arkansas State University, State University, Arkansas; R. Edward Grumbine, Ph.D., Sierra Institute, University of California Extension, Santa Cruz, California; Andrew Gunther, Ph.D., Vice President, Applied Marine Science, Inc., Livermore, California; Steven P. Hamburg, Ph.D., Ittleson Associate Professor, Environmental Studies and Biology, Brown University, Providence, Rhode Island; Jeremy Hatch, Ph.D., University of Massachusetts, Boston, Massachusetts; Gene Helfman, Ph.D., University of Georgia, Athens, Georgia; Deborah B. Hill, Ph.D., Professor/Forestry Extension Specialist, Department of Forestry, University of Kentucky, Lexington, Kentucky; Professor Gerald E. Hite, Ph.D., Texas A&M University, Galveston, Texas; James R. Hodgson, Ph.D., Professor of Biology and Environmental Science, Department of Biology, Division of Natural Sciences, St. Norbert College, De Pere, Wisconsin; D. E. Holt, Test Systems Engineer, B.S. and M.S. Education, B.S. and M.S. Physics, MBA; Robert W. Howe, Ph.D., Associate Professor, Department of Natural and Applied Sciences, University of Wisconsin-Green Bay, Green Bay, Wisconsin.

Robert M. Hughes, Ph.D., Regional Aquatic Ecologist, Dynamic Corporation, Corvallis, Oregon; Tim Hunkapillar, Ph.D., Department of Molecular Biotechnology, University of Washington, Seattle, Washington; Timothy Ingalsbee, Ph.D., Director, Western Fire Ecology Center, Fall Creek, Oregon; Thomas Jervis, Ph.D., New Mexico Audubon Council, Los Alamos, New Mexico; Lawrence Kaplan, Ph.D., Emeritus Professor of Biology, Editor, Economic Botany, Department of Biology, University of Massachusetts, Boston, Massachusetts; Stephen R. Kellert, Ph.D., Professor, Yale School of Forestry and Environmental Studies, New Haven, Connecticut; Diana Kimberling, Ph.D., Fisheries Center-University of Washington, Seattle, Washington; Rebecca Klaper, Ph.D., Institute of Ecology, University of Georgia, Athens, Georgia; Walter D. Koenig, Ph.D., University of California, Berkeley, California; Alan J. Kohn, Ph.D., President, Society for Integrative and Comparative Biology, Department of Zoology, University of Washington, Seattle, Washington; John Lattke, Graduate Student, Department of Entomology, University of California-Davis, Davis, California; Foster Levy, Ph.D., Department of

Biology, East Tennessee University, Johnson City, Tennessee; David R. Lighthall, Ph.D., Department of Geography, Colgate University, Hamilton, New York; Robert J. Meese, Ph.D., Biodiversity Group, Information Center for the Environment, Department of Environmental Science and Policy, University of California, Davis, California; DeForest Mellon, Jr., Ph.D., Professor of Biology, Gilmaer Hall, University of Virginia, Charlottesville, Virginia; Brent D. Mishler, Ph.D., Director, University and Jepson Herbaria, Professor, Department of Integrative Biology, University of California-Berkeley, Berkeley, California; Joseph C. Mitchell, Ph.D., University of Richmond, Richmond, Virginia; David R. Montgomery, Ph.D., Associate Professor, Geomorphology, University of Washington, Seattle, Washington; Robert H. Mount, Ph.D., Professor Emeritus, Auburn, Alabama; Peter Morrison, Ph.D., Pacific Biodiversity Institute, Winthrop, Washington.

Dennis Murphy, Ph.D., Research Professor, Department of Biology, University of Nevada, Reno, Nevada; Julie Murray, Ph.D., Candidate, University of Georgia, Savannah River Ecology Laboratory, Aiken, South Carolina; Henry R. Mushinsky, Ph.D., Herpetologists' League Conservation Committee, Past President of the Society for the Study of Amphibians and Reptiles, University of South Florida, Tampa, Florida; Reed F. Noss, Ph.D., Conservation Biology Institute, Corvallis, Oregon; Mary H. O'Brien, Ph.D., Botanist, Independent Contractor, Eugene, Oregon; Marcia Ostrom, Ph.D., Program on Agricultural Technology Studies, University of Wisconsin-Madison, Madison, Wisconsin; Lawrence M. Page, Ph.D., Principal Scientist, Illinois Natural History Survey, Champaign, Illinois; Dennis Paulson, Ph.D., Director, Slater Museum of Natural History, University of Puget Sound, Tacoma, Washington; Bernard C. Patten, Regent's Professor of Ecology, Institute of Ecology, University of Georgia, Athens, Georgia; Scott M. Pearson, Ph.D., Biology Department, Mars Hill College, Mars Hill, North Carolina; James L. Pease, Ph.D., Department of Animal Ecology, Iowa State University, Ames, Iowa; James W. Petranka, Ph.D., Department of Biology, University of North Carolina, Asheville, North Carolina; James W. Porter, Institute of Ecology, University of Georgia, Athens, Georgia; Michael S. Putnam, Ph.D. Candidate, Department of Zoology, University of Wisconsin, Madison, Wisconsin; Robert Michael Pyle, Ph.D., Biologist, Writer, Gray's River, Washington; Lisa Rapaport, Ph.D., Department of Anthropology, University of New Mexico, Albuquerque, New Mexico; Charles Rhyne, Ph.D., Associate Professor of Biology, Jackson State University, Jackson, Mississippi; Eric Roden, Ph.D., Department of Biological Sciences, University of Alabama, Tuscaloosa, Alabama; Steven H. Rogstad, Ph.D., Associate Professor, Biological Sciences, University of Cincinnati, Cincinnati, Ohio; Matthew Rowe, Ph.D., Department of Biology, Appalachian State University, Boone, North Carolina; Emma Rosi, M.S., Institute of Ecology, University of Georgia, Athens, Georgia.

Janice Sand, Institute of Ecology, University of Georgia, Athens, Georgia; Aristotelis Santas, Ph.D., Associate Professor of Philosophy, Coordinator, Center for Professional and Applied Ethics, Valdosta State University, Valdosta, Georgia; Jeffrey P. Schloss, Ph.D., Professor of Biology, Westmont College, Director, Biological Programs, Christian Environmental Association, Santa Bar-

bara, California; Steven R. Sheffield, Ph.D., Clemson University, Pendleton, South Carolina; Philip C. Shelton, Ph.D., Professor of Biology, Clinch Valley College, Wise, Virginia; Mark A. Sheridan, Ph.D., Professor of Zoology, North Dakota State University, Fargo, North Dakota; Fraser Shilling, Ph.D., Division of Biological Sciences, University of California-Davis, Davis, California; Samuel M. Simkin, Ph.D., University of Georgia, Athens, Georgia; Michael G. Smith, Ph.D., Los Alamos National Laboratory, Los Alamos, New Mexico; Michael Soule, Ph.D., President, The Wildlands Project, Hotchkiss, Colorado; Roy A. Stein, Ph.D., The Ohio State University, Columbus, Ohio; Robert D. Stevenson, Ph.D., Associate Professor of Biology, University of Massachusetts, Boston, Massachusetts; Douglas Stotz, Ph.D., Environmental and Conservation Programs, Field Museum, Chicago, Illinois; Harry M. Tiebout III, Ph.D., Department of Biology, West Chester University, West Chester, Pennsylvania; Howard Towner, Ph.D., Professor of Biology, Loyola Marymount University, Los Angeles, California; Peter Warshall, Whole Earth Quarterly, San Rafael, California; Judith S. Weis, Ph.D., Department of Biological Sciences, Rutgers University, Newark, New Jersey; Bradley A. Wiley, Research Assistant, University of Kansas, Lawrence, Kansas; Bill Willers, Ph.D., Biology Department, University of Wisconsin-Oshkosh, Oshkosh, Wisconsin; Herb Wilson, Ph.D., Associate Professor of Biology, Colby College, Waterville, Maine; John A. Witter, Ph.D., University of Michigan, School of Natural Resources, and Environment, Ann Arbor, Michigan; George Woodwell, Ph.D., Woods Hole Research Director, Woods Hole, Massachusetts; Ruth D. Yanai, Ph.D., Assistant Professor, Faculty of Forestry, SUNY College of Environmental Science and Forestry, Syracuse, New York; Eric Zwerling, Ph.D., Director, Rutgers Noise Technical Assistance Center, Founder, Faculty Advisor, Students for Environmental Awareness, New Brunswick, New Jersey.

Mr. SMITH of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have listened to arguments against this bill which are really arguments against the so-called "salvage rider" bill of 2 or 3 years ago. Those arguments simply fall on deaf ears if we carefully read this bill because, very frankly, let me take my colleagues through it one more time so that they understand how different this is from anything Members have seen before.

We recognize that there are those who do not trust the Forest Service, and we recognize that there are those people who do not trust environmentalists, and we realize that there are people who do not trust foresters. So in order to place someone in the context of the analysis, we chose to place 11 scientists. No one has identified who they are, but we have identified their character and we have identified where they should come from and their expertise.

We have suggested that four of them be appointed by the National Academy of Sciences. We suggested three of them be appointed by the Secretary of Agriculture and two by the House and two by the Senate, agriculture and resources respectively.

In that manner, we think we have provided a broad base of selection process that will give comfort to any of those who see emotionally this issue running one way or running another. And in that light, we of course have brought judgment to this whole question.

The scientific panel is appointed to identify the most difficult and problematic areas of the forest in the Nation. They submit that report to the Secretary, from which he chooses the most difficult problems that he faces in forest management throughout the country; and to that, he allots resources under a fund called the roads and trails fund that has not been used, by the way, at all for any purpose, and was returned to the Treasury between 1982 and 1996 and, after 1996, has been accumulating dollars, not being used by the Forest Service or anyone else.

So it is apparent to us that that is a proper way of providing forest health, using those dollars that have not been used before in the road and trails fund. And by the way, the FIRM program by the Forest Service used the same identical kind of process in their Forest Improvement Act in another fund.

Beyond that, the selection process is open to the public at the commencement of the program. It may be appealed by environmentalists if they choose. It is open at end. There are no time frames. The reason the Forest Service does not like this bill is because we are looking over their shoulder. They have only to report to Congress every year about what they are doing, and if Congress does not like it, your side or mine, they can use that opportunity to accuse the Forest Service of not following the law. And at the end of the process, we ask the General Accounting Office to review the total 5 years for the Congress to determine whether the process has been working, what has happened, and if there is on-the-ground improvement.

We have used every dollar of this fund for improvement on the ground. Not one dime can be spent for Forest Service overhead, which is important because we want to see results on the ground. We have been accused, by the way, of saying you are trying to make money from this fund. And I heard the gentleman from Minnesota say these are low-cost sales. Which do we like here? The point is that both may be true. Some of this deteriorating wood may be of some value. We do not know. However, there are efforts that must be made on the ground to improve the forest floor that likely will be under cost or under any retrievable monetary impact, so that we are looking to improve the forest floor and we are not looking directly or indirectly at commercial activity.

We have said if there are any funds that are available, they go back to the county. That is a legitimate position to take, I think.



Now, we have listened to these kinds of announcements about this scientific community and that one. I just want to straighten out for the record the one that has been quoted twice now, the Sierra Nevada Ecosystem Project. It has been reported that it says that increased logging has increased fire severity more than any other human activity.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from Oregon (Mr. SMITH) has expired.

(By unanimous consent, Mr. SMITH of Oregon was allowed to proceed for 1 additional minute.)

Mr. SMITH of Oregon. Mr. Chairman, just to go on with that report and to show how we can take these things out of context, let me read, quoting the Sierra Nevada Ecosystem Project further in the body of the bill and not quoting out of context.

Fire protection for the last half century has provided for the development of continuous dense forest stands which are in need of thinning to accelerate growth, reduce fire hazard, provide more mid-succession forest habitat, and yield usable wood.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I also had several amendments that I had intended to offer, but I have decided that I will not offer those amendments. I rise in opposition to the bill because I feel that it is fundamentally flawed and unnecessary.

The Forest Service, which also strongly opposes the bill, has testified before the Committee on Agriculture that there is no forest health crisis and that they have adequate existing authority under law to carry out needed forest health projects. It is my view, incidentally, that they have had this authority for at least a couple of decades and in previous administrations have not used it, which to some degree accounts for some of the truly difficult forest health problems that we have at the present time.

Mr. Chairman, H.R. 3530 is one in a string of bills that we have seen over the last few years that are based on a dubious scientific hypothesis that logging will alleviate the forest health crisis in our national forests. I am troubled by claims that the solution to problems in our national forests is continued commercial logging such as what we saw under the "salvage rider" provisions of previous legislation.

The salvage rider that was attached to the fiscal year 1995 rescissions bill had an unhealthy effect on our national forests and further eroded the public's confidence in the ability of the Forest Service to manage our public lands. It is my view that this current land proposes to give the Forest Service more authority to engage in logging that is not subject to annual appropriations. The Forest Service itself has told the sponsor of this bill that it does not need or want this legislation.

Mr. Chairman, there have been a number of changes made in this bill with the intention of trying to alleviate some of the problems that have existed there. Some of the changes have been more or less cosmetic. The original versions of the bill continued to use the term "forest health," which is a catch word that we have heard over and over again to justify more logging in national forests.

As I have indicated, forest health improvement has been so closely associated with logging that this term was advisedly removed from the revised version of the bill. But otherwise the bill was not substantively changed. The point is, changing the words does not change the fact that this bill is written and designed to encourage commercial logging, more commercial logging in our national forests, period.

If there was not to be an increase in logging under this bill, I doubt if the sponsors would be seeking so enthusiastically to get it passed. If there is truly a crisis in our national forests, as the supporters of the bill contend, the Congress should appropriate funds specifically to address the problems. The type of off-budget funding mechanisms that we have in this bill have failed in the past and have seriously biased the management of our national forests.

□ 1200

Rather than repeating past mistakes, we should be moving in a new direction of forest management, and we should fund programs that will truly alleviate forest health problems. During an era of fiscal conservatism, we should not continue to allow logging off budget. If these problems are real, they should be addressed and justified in the full light of day and subject to the appropriations process.

Mr. Chairman, the Secretary of Agriculture yesterday sent the chairman of the Committee on Agriculture a letter setting forth in more detail some of the things that I have mentioned and other objections that the administration has to the bill.

Mr. Chairman, I include the following for the RECORD:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, DC, March 26, 1998.

HON. ROBERT F. SMITH,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR BOB: I appreciate your efforts to address the Administration's concerns with H.R. 2515, "The Forest Recovery and Protection Act of 1998," by introducing a revised version, H.R. 3530. I know this legislation is a priority for you; I do not come to my recommendation lightly.

However, because H.R. 3530 contains several objectionable provisions not changed from the previous bill, H.R. 2515, and because it makes a material change in one significant respect from the bill the Committee reported, as I discuss below, the Administration cannot support it.

The Administration's primary objections to H.R. 3530 are that it: 1) expands an exist-

ing forest restoration program to allow commercial timber harvesting and other activities; 2) places pressure on local forest supervisors to generate large timber receipts under the program because the bill gives states, for the benefit of counties, 100 percent of the receipts, which is inconsistent with the Administration's fiscal year 1999 budget proposal; 3) establishes unreasonable deadlines on public comment and the agency's review of those comments; 4) greatly limits the agency's ability to conduct sound environmental analysis on the program's standards and criteria within the deadlines; and 5) contains costly administrative and reporting processes, which would take personnel and funds away from priority, on-the-ground forest improvement activities.

The Administration strongly opposes the bill's funding mechanism, which turns an existing restoration-type fund, the Roads and Trails Fund, into a commercial timber harvesting program that would include salvaging and thinning of timber in entire forests, which section 3 defines as recovery areas. Requiring the Forest Service to designate forests as recovery areas would unnecessarily open entire forests to these activities when, in fact, restoration is required only on specific, discrete areas, not forest-wide. Such a forest-wide designation would further weaken the existing restoration fund by imprudently broadening the scope of commercial timbering activities the fund could finance.

Moreover, section 8 in H.R. 3530 broadens the Committee-reported bill by requiring that all revenues generated from timber sales and other activities be given to counties, for the benefit of local schools and roads, creating an incentive for communities to place enormous pressure on forest managers to offer commercial timber sales rather than conduct needed, noncommercial restoration projects. This provision also greatly expands a 90-year-old statute which provides 25 percent of receipts from timber, mining, and grazing to states and counties.

In doing so, the changes incorporated into H.R. 3530 from the Committee-reported bill would enhance the link between timber, schools, and roads and create expectations in communities that more timber receipts will be available under this program for these purposes. The Administration's fiscal year 1999 budget proposes to eliminate the direct connection of Federal timber receipts and contributions to schools and roads, providing instead stable, yearly payments based on a formula using receipts received in previous years, a policy we believe will better serve both local needs and sound forest management.

Section 4 would limit the public's comment period on the proposed standards and criteria for the program and the identification of recovery areas, severely limit the time the Forest Service would have to review comments and publish final decisions, and preclude the agency from modifying decisions on designated recovery areas. The Administration opposes these provisions because they 1) limit the public's ability to be heard on how its forests are managed, 2) limit the agency's ability to respond to the public's concerns, and 3) impede the ability of the Forest Service to conduct meaningful environmental analysis, putting those important assessments on an artificial timetable instead of one determined by the schedule of sound science.

I appreciate your interest in forest restoration and the progress you have made in improving the legislation from its original

form; nonetheless, if H.R. 3530 is presented to the President in its present form, because of the objectionable provisions I have outlined and other concerns, I would have to recommend that the President veto it.

With best personal regards, I am

Sincerely,

DAN GLICKMAN,  
Secretary.

Mr. GILCREST. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to point out to my colleagues some of the provisions as they are stated within the context of the bill. First of all, I would like to make very clear that this, as far as my understanding of the bill, working on this piece of legislation for several weeks now, this bill is not a logging bill, this bill is a recovery bill. This deals with the recovery of certain areas that the chief of the Forest Service has described as needing some recovery, some management. This is not a logging bill.

I would like to bring to my colleagues' attention page 7 of the bill, line 8, where it says, "identifying recovery areas," what areas are going to be worked on. "The recovery area that will be designated will be an area that has experienced disturbances from wildfires, insect infestations, disease, wind, flood, or other causes which have caused and contributed to," which is what we want to recover and repair, "significant soil erosion, degradation of water quality, loss of watershed values, habitat loss, or damage to other forest resource areas." That is what we are looking at. These are the areas which will be considered recovery areas.

Now, the recovery project. I would ask my colleagues to turn to page 8, starting on line 3. A recovery project means, this is what we are going to do when they get on the ground, a recovery project means "to improve, restore, or protect forest resources within an identified recovery area, including the types of projects, riparian restoration, treatments to reduce stand density for the purpose of reducing risk of catastrophic loss."

Let me bring to my colleagues' attention the Southern Appalachian assessment of their forests. It states, "Several tree species in the Southern Appalachians are at risk of extinction or significant genetic loss because of exotic pests and the lack of active management in other stands that has led to the development of dense forest understories."

I go on. "Soil stabilization and water quality improvement," this is what is going to happen on the ground, "removal of dead trees or trees being damaged by injurious agents other than," other than, "competition from other trees, prescribed fire, integrated pest management." And the list goes on. This is a list of recovery projects. It is not a list of logging.

Now I would like my colleagues to turn to page 21. What kind of scientists

are going to be looking at these areas and what kind of scientists will be designating the standards and the criteria upon which we will base these recovery projects, picked independently. They will be hydrologists, wildlife biologists, fisheries biologists, entomologists or pathologists, fire ecologists, silviculturists, economists, soil scientists.

I would like to remind my colleagues of something that the gentleman from Texas talked about when he said we should compare our forest to our agriculture. The only way we are going to improve agriculture is to bring scientific data into the equation so we can not only increase the yield, but protect the environment at the same time.

Can we sustain logging? Maybe the question is, should we sustain logging? People wanting homes, with the need for construction, do we need wood? The answer is yes. How do we sustain logging? We mimic nature and we protect biological diversity and we harvest trees. It is the injection of scientific data.

Now, the last comment I want to make on this, because there will be some amendments coming up, this has been a tremendously healthy exercise. We are bringing in a lot of information. There is an exchange of information. And to the extent that I can see what is happening on the floor, there is a tolerance for someone else's opinion. But the bottom line is, does this bill move us a little bit forward in understanding the limited and diminishing resources that we people depend upon? And it is my judgment that this legislation moves us in the right direction. And I encourage my colleagues to vote for the bill.

Mr. HINCHEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the sponsors and the proponents of this bill say that they are passing this measure because they have the best interest of the national forests at heart, that what they want to do is to promote programs and policies which will make the forests healthier, stronger, both now and in the future. And I believe that some of them actually believe that.

I have tried to find within this proposal evidence to support that proposition, and I have looked in vain. They tell us that they are establishing a network of scientists who have certain credentials which will enable them to make sound scientific judgments with regard to how the forests should be managed. That, I suppose, is okay, except that that duplicates the abilities already contained within the National Forest Service.

The National Forest Service now has people that have the ability to make these decisions. That kind of expertise exists within the Forest Service. In fact, we could look far and wide and

not find people who are better able to make those judgments based upon silviculture, based upon biological diversity, based upon maintaining the soil, based upon the effects of soil erosion on aquatic life. All of that expertise now currently resides within the Forest Service, and it exists in great abundance.

All of the intellectual resources that one could want to make these decisions exists in the Forest Service. Why do we need this new, cumbersome, bureaucratic arrangement that is only going to complicate matters to superimpose their judgment over the judgment of people who are more capable of making them, already working for the Federal Government? That does not make any sense to me.

What this bill will simply do is promote logging. Now, a certain amount of logging, it is recognized, is good and healthy. But this bill is going to promote amounts of logging that are unhealthy and unreasonable, unnecessary, and will be counterproductive to the stated objectives of the proponents of this legislation.

When we come right down to it, Mr. Chairman, what this bill is is a license to steal. It is a license to steal a vast amount of the precious natural resources of this country, and it is a license to steal taxpayers' money.

Now, how does it do that? It does that by setting up this kind of arrangement, which is the kind of arrangement that I have discussed, which will enable vast amounts of cutting to go on in the national forest, based upon the idea that by so doing they are going to somehow protect the forests. It will set up a bureaucratic arrangement whereby if someone believes or supposes or imagines that there is some kind of danger occurring to the national forests, that vast amounts of that forest can be cut, clear-cutting can take place.

Now, is the size of that clear-cutting defined? Not at all. Entire forests could be cut down under the provisions of this bill. Entire forests could be clear cut under the provisions of this bill. So this bill sets up a program which will allow those misguided people who want to clear cut the national forests to have a license to do that, a license to steal vast amounts of the natural resources of this country.

And then when there is revenue produced as a result of this larcenist logging that will take place, those financial resources will not accrue back to the taxpayers of the country, as it should because, after all, all of these resources are owned by all of the people of this country jointly. No, what this bill will do is take those monies and deposit them in certain places in the country to benefit certain constituencies or certain constituencies of certain Members of this body, so taking money that belongs to all the people of



the country and putting it into special places in the country at the expense of everyone else.

That money, by the way, should be used for what it would be used under normal circumstances under the provisions of the existing law, to enable the Forest Service to conduct their business in the way that they should and the way that they want to.

The CHAIRMAN. The time of the gentleman from New York (Mr. HINCHEY) has expired.

(By unanimous consent, Mr. HINCHEY was allowed to proceed for 1 additional minute.)

Mr. HINCHEY. Mr. Chairman, so if we allow this bill to pass, what we succeed in doing is allowing vast amounts of natural resources to be stolen and vast amounts of revenue to be stolen.

I made the point in my opening remarks that the customs duties in the City of New York could be taken by the City of New York under the same kind of reasoning that goes on here or in the Port of Miami or the Port of Los Angeles under the same reasoning. Because the port is there, should all of those resources go to New York or Miami or Los Angeles or any other port? Obviously not. Those resources belong to all the people of the country, as these resources belong to all the people of the country and should not be expropriated as they would under the provision of this bill.

This bill is bad public policy, and I urge its defeat.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, under the procedures today in considering the context of this legislation, I had noticed several amendments which I do not intend to offer. Time does not permit me to. And quite frankly, I think the scope of this bill, working on this particular bill, amendments to modify, would be like buying a ticket on the Titanic Sea Cruise.

The fact is that the bill is not a good policy and, frankly, is based on a premise that is not correct that there is a forest crisis. I very much agree with the comments made by my colleague, the distinguished gentleman from California (Mr. BROWN), who preceded my statement in this 5-minute-rule time frame. The fact is that there is not a crisis that would require this measure and this unusual legislative measure.

Do we have problems in terms of forest health? Yes. But the answer is not one that has come just in recent years it has been growing for many decades. The fact is that it is something that has grown out of mismanagement, frankly, and I think, in a sense, really a lack of knowledge with regards to the dynamics of the management of our landscapes of these national forests and many other of our public lands.

We have today a tremendous problem that we need to address. As has been

pointed out during this debate and in testimony, we spend literally billions of dollars each year and some years too many billions in terms of suppressing or fighting fire. But we found that many times fire policies and activities of the past are responsible for many of the problems in the forests, the way we fought fires.

I would suggest another issue is the fact that the way we manage the lands in terms of permitting interface with personal properties, the "urban interface" as we refer to it, that again is inviting problems and it should be addressed. We have talked about the tremendous backlog in terms of the mileage of roads that we have in our forests, mostly roads, legal but some, what we call "ghost roads," or illegal roads, total some 433,000 miles of roads in our forests; and the Forest Service reports to us the \$10.5 billion backlog in terms of maintaining them and we provide but a token amount for such.

That is why so many of us are concerned that even under this bill, new roads would be permitted in unroaded areas. We cannot maintain what we have got. Common sense would dictate that when we are in a hole and we want to get out, Mr. Chairman, we quit digging. But that is obviously not a message, that understanding, that this Congress has yet come to grips with.

□ 1215

Although the Forest Service itself has taken a very bold move in trying to call a time out, an 18-month moratorium on the construction of roads until we can reframe our policies as to the management of these lands and road policy.

I noted very appropriately that the gentleman from Maryland (Mr. GILCHREST) pointed out some of the good features of this bill. I would recognize the chairman and ranking member have written some provisions in this bill that I think are appropriate in terms of talking to forest health. The problem is that the deficiencies in the bill simply are such that it does not function, and doesn't add up to good policy.

He did not talk about page 13 section and the requirements spelled out on page 13 and 14 of the substitute as to how you select these particular projects. One of them dealt with and directs these scientists to use these particular criteria in selecting the projects. They cannot look at cost-benefit in the sense they are going to provide for below-cost sales. That is not a factor in terms of forest health. Another requirement is they need to look at what the economic impact is in an area. That is another factor. These are all requirements, but these are not the criteria that relate to forest health.

Indeed, we have the criteria that relate to forest health that have been testified to by the Forest Service, by

the chief of the Forest Service. This bill does not direct itself to that. The chief talked about maintaining diversity, resiliency of the components, such as wildlife and fish riparian areas, soils, range lands, economic potential that will require active management, it will require road maintenance and obliteration, use of prescribed fire, grazing, thinning, and some salvage. He talked about, of course, the private sector involvement in terms of technical assistance on private lands as being a major problem in terms of this area.

The fact is that trying to provide these dollars in an unaccountable manner in spite of the fact you are asking for studies and reports back, if that is going to be the new template for us in the future as to how we provide accountability, why do we not pass 5-year appropriation bills? We do not do that because we know that even on a short-term we have to come back and reference and try to determine what is happening.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from Minnesota (Mr. VENTO) has expired.

(By unanimous consent, Mr. VENTO was allowed to proceed for 1 additional minute.)

Mr. VENTO. Mr. Chairman, if you want to talk about good intentions, I suppose I could be generous and say that the intentions under the salvage rider were good intentions, but the fact is today that it is almost universally criticized in terms of what the consequence was of the salvage rider. Others will say that was not their intention. But the fact is that was just a short 2 years ago. And we have had all kinds of problems and controversy.

This particular measure, untested, deserves accountability on an annual basis, and forest health deserves far more dollars of commitment. It deserves the solid support to the United States Forest Service in terms of dealing with forest health, not something superimposed with new criteria which I think has the potential to continue road building, continue business as usual at the expense of the taxpayer and at the expense of losing our natural forest legacy, the proper inheritance, I think, of all Americans.

Mr. Chairman, I rise in opposition to H.R. 3530, the Forest Recovery and Protection Act of 1998. I can think of few bills in my experience in Congress or back in Minnesota that were more ironically named. In short, this bill is about neither the recovery nor the protection of our National Forests. It's about more logging, plain and simple. This policy reminds one of a false syllogism: state some information in an arbitrary fashion, then draw a conclusion which is entirely inconsistent and incorrect.

As most of you know, this bill is a rerun of the salvage logging rider; a new incarnation of an old ideal a bad idea. Introduced as H.R.

2515 late last year, it has been changed in recent days in a failed attempt to achieve consensus. Mr. Chairman, I say to those members who are suspicious of this new bill, you have every right to be skeptical and yes cynical. This bill does not accomplish consensus. It does not improve upon H.R. 2515. The most crucial and damaging aspects of that legislation remain intact, and in fact a number of adverse additional new proposals have been added. I will certainly vote no and urge others to do the same.

I will vote no because this legislation is based on an entirely faulty premise. While we all realize that there are problems in some Western forests, there is no forest health crisis. Mike Dombeck, Chief of the U.S. Forest Service, agrees and testified to this point. In testimony before the House Agriculture Committee last year, Mr. Dombeck referred to the "generally . . . healthy" condition of our nation's forests. He admitted there are problems. But he also detailed the Forest Service's current problem solving tools, like thinning, maintenance and obliteration of roads, and prescribed fire. A committee of more than 100 independent scientists, furthermore, recently sent a letter to Congress, in which they claim that "there is no widespread or universal forest health crisis." But the proponents of this measure must establish a crisis in order to justify the policy in this bill. It's like a policy in search of a crisis. Creating the crisis justifies in their minds' eyes the salvage harvest of our National Forests.

This bill is unnecessary and harmful. The recovery projects proposed by this bill will most likely lead to commercial logging. Yet it was precisely these sorts of activities that created our current problems in the first place. Scientists working on the Sierra Nevada Ecosystem project concluded that logging increased the severity of forest fires more than any other human activity. There's one thing worse than a solution to a problem that doesn't exist, and that's a solution that makes the problem worse.

There are a few specific problems with this bill that I would like to focus on. First, it creates an off-budget fund for the Forest Service. I find it ironic that on the same day that the major committees of jurisdiction are holding a hearing at which they blast the Forest Service for being poorly managed, we are considering giving them more money with even less accountability to the public. If, Mr. Chairman, the sponsor of this legislation is serious about solving forest health problems, he should consider putting the fund it creates back on budget and subject such expenditures to open Congressional and public scrutiny.

Second, this salvage program could take place virtually anywhere, not just in areas where forests are in so-called "poor health." Sponsors claim that they are protecting wilderness, old growth and riparian areas. Protecting wilderness isn't just a good idea or a choice: logging in areas of the National Wilderness Preservation System is against the law. And the claims of protecting old growth and riparian areas are disingenuous at best. This bill only prohibits logging in riparian and old growth areas that are currently protected by land management plans. Unfortunately, many current land management plans are out of

date and not in sync with current scientific information. This bill takes advantage of that lack of protection in such plans and roadless areas not protected are opened to logging and treatment in the name of forest health rather than integrating new information into current forest plans.

Finally, this bill codifies below-cost timber sales. It states that "a recovery project is not precluded simply because the cost of preparing and implementing the recovery project is likely to exceed the revenue derived from the recovery project." Mr. Chairman, passage of H.R. 3530 would codify below cost timber sales in permanent law justifying such subsidized harvest as far as the eye can see. That sends a very bad message to the taxpayers, it's bad environmental policy, and it alone is a reason to oppose this bill.

H.R. 3530 is far from a solution to the forest health problems in our National Forests—it will just make our current problems worse. I urge my colleagues to join me in voting against this measure. Once you see beneath the veneer of forest health, what is evident is the establishment in law of a collection of the deficient practices that have existed within our National Forests in the past decades. This is just another new verse to the same music. It's business as usual and instant gratification for the timbering special interests at the expense of taxpayers and future generations. Passage of this measure puts their resource legacy, their American forest heritage, very much at risk.

Mr. SMITH of Oregon. Mr. Chairman, I ask unanimous consent to speak for 1 minute out of turn.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SMITH of Oregon. Mr. Chairman, I just want to correct the record from the last speaker. There is accountability every year, because the GAO reports every year on what occurs on the ground. There is accountability, fiscally and on the ground. On page 13 which he mentioned, he failed to tell you what is the rest of page 13:

Ensure that each recovery project complies with the land management plan applicable to the recovery area within which the recovery project will be conducted; and ensure that each recovery project will maintain or enhance the ecological functions and conditions of the forest in which the project will be conducted.

Mr. VENTO. Mr. Chairman, I ask unanimous consent to proceed out of order for 1 minute.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Chairman, I recognize that reports are required, but the fact is that this is a less precise way and a less effective way in terms of attaining accountability from the program. We do not do that through the regular process. Regular appropriations might be a little better for such an untested program. I would further point

out that the amount of dollars in this measure is not nearly enough to begin to deal on a broad basis with forest health, which the gentleman acknowledges. We have a problem here with road building and with taking care of the roads and I think that we are not addressing that particular problem in the regular land plans, a \$10.5 billion backlog exists in repair and maintenance. This is at the best cosmetic, but I think it has some other serious problems and deficiencies that I pointed out in my previous statement.

AMENDMENT OFFERED BY MR. SMITH OF OREGON  
Mr. SMITH of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Oregon:

On page 29, beginning on line 15, strike paragraph (4) and insert instead:

"(4) PROHIBITION ON USE OF ANY FUNDS TO CONSTRUCTION ROADS.—For purposes of recovery projects authorized by this Act, amounts in the Fund shall not be used, either directly through direct allocations from the Fund, or indirectly through allocations to recovery projects from other Forest Service accounts, for the construction of roads, in those areas within the recovery project where the construction of roads would be prohibited by any Federal environmental law or the applicable land management plan."

Mr. SMITH of Oregon (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oregon?

Mr. MILLER of California. Mr. Chairman, reserving a point of order, I want to make sure we have the right amendment.

Mr. SMITH of Oregon. Let us continue with the reading for the gentleman. It is not that long.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk concluded the reading of the amendment.

The CHAIRMAN pro tempore. Does the gentleman reserve a point of order?

Mr. MILLER of California. Yes, Mr. Chairman. We would like to see the amendment, would be the first point of order.

The CHAIRMAN pro tempore. The gentleman reserves a point of order.

Mr. SMITH of Oregon. Mr. Chairman, this issue has been hovering around the debate on this bill for some time. It has been very controversial. It is the question in two parts, one, of whether or not this involves roadless areas which the chief of the Forest Service has placed a moratorium on. It does not.

Then there was this effort to discuss permanent roads, new roads. We heard the gentleman from New York discuss that earlier. There was some debate about whether this allowed roads, did not allow roads, and whatever. What I have done with this amendment is simply to lift the whole question of roads



out of this bill, so that the decision as to whether or not recovery projects will be involved with roads will be finally decided by the scientists who propose these programs as well as by the Secretary of Agriculture as well as by those forest managers on the ground.

Let me make the point that the gentleman from Minnesota just made, and that is simply that the meager amounts of money in the road and trails fund certainly are not enough to take care of the health problems in this country. There is no question about that. That is why we have had this selection process to find the most critical problems in forest in the country and then allow the Secretary to allot funds.

I want to ask you the question rhetorically. If the Secretary of Agriculture determines through his chief that there be a moratorium on roadless areas, what in the world would make the Secretary of Agriculture identify one of these recovery areas that violated his stipulation that you cannot build roads in roadless areas during the moratorium? Or maybe at any other time? The fear that will emanate from this discussion simply is not there.

What I am trying to do here again is lift the debate of roads out of this question. It is not a forest health issue, by the way. It should not be a forest health issue. This whole bill in its direction is determined to be how can we improve the forest health, the ecosystem health of our Nation's forests. It ought not to be about roads.

I am sorry that I had to bring this amendment, frankly, because it raises the debate and I understand the emotion that is centered around it. However, lifting the language in this manner takes the question of roads out of the issue, and therefore I suggest and I ask the body to accept this amendment.

The CHAIRMAN pro tempore. Does the gentleman from California insist on his point of order?

Mr. MILLER of California. I do not, Mr. Chairman. I withdraw it.

The CHAIRMAN pro tempore. The gentleman withdraws his point of order.

AMENDMENT OFFERED BY MR. BOEHLERT TO THE AMENDMENT OFFERED BY MR. SMITH OF OREGON

Mr. BOEHLERT. Mr. Chairman, I offer an amendment to the amendment. The Clerk read as follows:

Amendment offered by Mr. BOEHLERT to the amendment offered by Mr. SMITH of Oregon:

In the last line of the amendment, insert after "law" the following: "or policy that is in effect or has been proposed in the Federal Register by the date of the enactment of this Act."

Mr. BOEHLERT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOEHLERT. Mr. Chairman, this amendment says that no roads could be built if doing so would violate any law or policy in effect or proposed on the date of enactment. This complex language boils down to one thing. The amendment's language will prevent this bill from being used to build roads in roadless areas. It is that basic. Let me repeat. This amendment will prevent this bill from being used to build roads in roadless areas.

As I already said and many others have repeated, no roads are needed for forest health. Let us not be misled. This amendment applies only to road construction under this bill, not to other Forest Service programs.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the Smith amendment does not do what the gentleman from Oregon said that it does do. I appreciate while he would prohibit Federal roads prohibited by any Federal environmental law, of which would obviously be, that is just current law, and the second one, any applicable land management plan.

The problem is most land management plans, one, are out of date and, two, never spoke to the issue of creating roads because most of the land use management plans for the national forests were designed to allow for the continued construction of roads because that is what they were predicated upon.

We are undergoing a review in California in the Sierra Nevada of the land management plans for the very reason that they do not address these issues. That makes it imperative if the Smith amendment is going to be accepted that it be accepted with the Boehlert language, because the Boehlert language speaks to the reality of what is taking place; that is, that we have some 380,000 miles of roads in the national forests.

We have a \$10 billion backlog in these forests because they are deteriorating. We cannot take care of the ones that we have. They are starting to wreak havoc with good portions of the forests as they fall into disrepair. They are destroying the fisheries and the streams and the watersheds of some of our most valuable rivers for the production of fish for sports purposes and for commercial purposes.

That is why the Secretary of Agriculture has asked for a moratorium so they can sort out the road policy. Now the gentleman from Oregon wants to come in and impose a road policy on this legislation that does not stop road building from taking place, it allows it to continue because the forest plans allow it to continue, and we need the Boehlert amendment.

It is very interesting that now we are going to rush to make a road policy in the Smith bill when 2 days ago in the

Committee on Resources they were asking for 120 hearings before we could consider any change in the road policy. They wanted every national forest to hold a hearing before they tampered with it at all. But now all of a sudden we are going to create a road policy here that under the Smith amendment allows you to continue to build roads and ignores the moratorium by the Secretary.

That is the purpose of this amendment, because everybody here who is knowledgeable in the land management plans knows that the land management plans when they were drafted were designed to continue the commercial harvesting of the forests and part of commercial harvesting of the forests is the continuation of road building. So the land management plans would not outlaw and in fact you could continue to go into roadless areas.

There is no designation, there is no Federal law, there is no land management plan. It really concentrates these dollars, if you will, on the roadless areas. That is why we have got to have the Boehlert amendment. We should vote aye on the Boehlert amendment. If it is not accepted, we should vote no on the Smith amendment.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. VENTO. I would just point out that this amendment knocks out the prohibition on the use of any funds to construct new permanent roads.

□ 1230

So, under this amendment as I read it, and I admit obviously funds are limited here, but we are talking about what we are doing. New permanent roads, I guess, would be okay, temporary roads would be okay, other types of roads would be okay if they are not prohibited by Federal environmental law or applicable law or policy in effect at this date with the Boehlert amendment.

But what I am pointing out is that this simply means business as usual. Obviously, we are only talking about the selected forest health areas, but they are knocking out the provision that had put a limitation on permanent roads.

I mean, we are dealing here, because the policy is deficient, and what they are trying to do is to rewrite those assets and policies, and the statement came up that roads were not a factor in terms of forest health. Well, that is news to the scientists and to the Forest Service, because these roads are a major health problem in terms of our forests. They are a major problem in terms of where fire incidents occur is along these roads, of the slumping that occurs in the soils that are choking the streams of the unmaintained nature of these 433 miles of legal and illegal roads.

There are major forest health problems.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman, and he makes the exact point. As my colleagues know, okay, the Smith bill just got caught with his hand in the cookie jar because they are going to allow increased road building, that Congress for the most part is against increased road building, the administration has a moratorium on it. So now they are trying to offer some camouflage in this amendment to pretend like they are going to take road building.

The CHAIRMAN pro tempore (Mr. PEASE). The time of the gentleman from California (Mr. MILLER) has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 1 additional minute.)

Mr. MILLER of California. And to pretend that they are going to take it out, because they are not going to do it where it is prohibited by Federal law. I suggest they could not do it where it was prohibited by Federal law, because that would be FIRM law and where there is land management plans, except that they know that the land management plans do not prohibit road building.

So the Boehlert amendment must be adopted if we are going to protect the Federal Treasury, if we are going to protect the national forests, if we are going to protect the local users of these forests. We must have the Boehlert amendment at a minimum. If we take the Smith amendment, all bets are off, we are just back to using Federal dollars to build roads where they are not needed, and it is these very roads that have caused a great deal of the forest health problems that supposedly this bill is addressing.

I urge my colleagues to support the Boehlert amendment and oppose the Smith amendment.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is a crisis on our forests that has been well documented. The administration agrees that there is a crisis. The Forest Service chief has testified that 40 million acres of our national forests are in unacceptable condition, and this amendment by the gentleman from Oregon (Mr. SMITH) is needed. The amendment by the gentleman from New York (Mr. BOEHLERT) would be very detrimental.

How do we clean up the forests? We know we are going to have to have a substantial amount of cleanup involving the trees.

The gentleman from California (Mr. MILLER) talks about protecting the Federal Treasury. How are we going to protect the Federal Treasury? How are we going to protect the Treasury if we ban the construction of roads needed to take the timber out, and so then we go

to helicopter logging, and we will be spending 3 or 4 times what it costs to take this material out over the roads. This is going to be highly detrimental to the taxpayer, but further than that, the forest fires that will result by this roadless policy being imposed will be much more detrimental in terms of lives lost by Federal firefighters and others fighting the fire, in terms of the costs of fighting the fire, and we as a Congress will step up and appropriate whatever it takes to pay for those costs.

But the point we are trying to make is the Smith bill, which is trying to give effect to this amendment, is going to help reduce the threat of fire and danger to our communities. Why would anybody build roads that are not necessary? Roads are extremely expensive. Anybody who has ever built a road knows how expensive it is. I built a road, a half mile long, gravel, it was \$26,000, and that was 10 years ago. I do not even know what the price is today. People do not go out and do these things because they are spending somebody else's money, they are spending their own money.

I would submit, Mr. Chairman, that this policy in the Smith amendment is needed. We are in compliance with all the environmental laws. The language of this amendment makes that clear. To take the next step and go to the Boehlert amendment to this amendment would basically say clean up the forests, reduce the fire risk; but, by the way, do not use any roads that might need to be constructed to accomplish that. Figure out some other way to do it. Go to helicopter logging, go to, I do not know how else to do it other than helicopter logging.

This is absurd. It would be extremely burdensome to the taxpayer. It is a very extreme agenda. This is the extreme environmentalist agenda right here that we cannot even build roads to protect the health of the forest, to protect the endangered species that so many on this side are always upset about protecting, and indeed we will be wreaking havoc in the national forests.

In our committee we heard testimony on this. Our forests today are in the worst condition they have ever been in the entire 20th century, and it is largely due to the tremendous overgrowth of the forests, the tremendous threat of catastrophic fire that we face, and the inability to effectively address this.

When the Smith bill comes forward to try and proactively address this issue and respond even to the concerns of the administration, we are then going to be offered an approach such as that of a Boehlert amendment that ties our hands, and it will cost the taxpayer hundreds of millions of dollars if this policy is allowed to go into effect.

So I will speak for the taxpayer and urge my colleagues to defeat the Boeh-

lert amendment and to pass the Smith amendment.

Mrs. CUBIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I find the Smith amendment to be very good for one of our most precious natural resources; that is, our forests and our ability to use them. And I find the Boehlert amendment to be radical and extreme. The Boehlert amendment locks up one-third of the forests in this country. So if a road washes out, a temporary road in a forest washes out, or if there is a blowdown and a road is blocked, his amendment could even be construed that those could not be repaired.

And do my colleagues know what that does? It does a lot of things, but one of the main things is that it violates the Americans With Disabilities Act. If we cannot have roads in forests, not only can we not harvest the timber and not realize the value that that has in preserving the health of the forest and bringing revenues to the communities, but we cannot have recreation in the forests either. We cannot go sightseeing, we cannot go picnicking, fishing, hunting or camping unless we want to parachute in, unless we want to walk, unless we want to ride a mule. And having just gone through some very serious surgery which limited my ability to be able to walk around, to be able to ride a horse or a mule, I cannot do that anymore, and there are millions of Americans who cannot do that either.

Locking up one-third of America's forests and not allowing people to get in there is simply wrong, and that could very well be the effect that the Boehlert amendment has, not to mention the fact that when we do not keep these roads, temporary or permanent, in conditions so that we can fight fires, we are asking for the ravages that we have seen on the 6 o'clock news to habitat for animals and to income for communities, as well as our beautiful forests.

What the Boehlert amendment is truly about is about pure unadulterated politics. According to the Forest Service communications plan, the agency is preparing to use major forest fires during the summer and fall of 1998 for political purposes. These political purposes are to help Vice President GORE run for President and to advance an extreme radical environmentalist agenda, which is exactly what the Boehlert amendment does.

According to the Washington Post, the Forest Service intends, and this is a quote, "to manipulate the media and everyone else to get support for the administration's policies over the next 8 months." That is a quote. The Washington Post article outlined the Forest Service and, therefore, the administration's strategy regarding how to get this watershed aspect of their agenda



enacted. The communications plan includes having Forest Service chief Don Beck travel extensively to, again I quote, "travel extensively to fires receiving high media coverage," unquote, and to provide similar media advance for Vice President GORE prior to the 2000 presidential election. That is what is in the communication plan of the Forest Service. It is not about good forest health, it is not about managing the forests. It is about politics.

It is unconscionable to think that people will be killed and property will be lost and habitat will be destroyed in this blatant attempt to push the administration's misguided environmental agenda. The trust that we have instilled in this Forest Service has been compromised because of this attempt at making it all the more incumbent that this Congress step forward and reject the extreme radical environmental agenda that is personified in the Boehlert amendment. We should pass the Smith amendment and then pass the bill.

Ms. MCKINNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I thank the gentlewoman for yielding. Two points I wish to make:

In response to the gentleman from California (Mr. DOOLITTLE) I wish to point out this is hardly an extreme measure. No roads are needed to accomplish forest health purposes. My amendment is narrower than the original bill language agreed to by the chairman, the gentleman from Oregon (Mr. SMITH). So I want to point that out to one and all.

Secondly, in response to my colleague from Wyoming (Mrs. CUBIN), her interpretation is wrong. My amendment does not eliminate anything or limit anything being done to deal with existing roads. They can be repaired, they can be maintained. Her interpretation is clearly wrong.

Ms. MCKINNEY. Mr. Chairman, I rise in opposition to the Smith amendment and the misnamed Forest Recovery and Protection Act and to suggest a more mainstream alternative. This fiscally irresponsible, environmentally destructive legislation, along with the infamous "salvage rider" is based on the incorrect assumption that there is a forest health crisis in the national forests and that the best way to cure a sick forest is to log it. It is nothing more than a clever use of words to hide its true intentions.

Mr. Chairman, here are some of the more creative examples of language used to foster more logging. Whether it is meadow enhancement, linear wildlife opening, vista enhancement or cross-country ski enhancement, the bottom line is that it is all the same, more log-

ging. The only crisis in our national forests is excessive road building and destructive logging.

In contrast, H.R. 2789, the National Forest Protection and Restoration Act introduced by the gentleman from Iowa (Mr. LEACH) and myself would preserve our remaining old-growth forests by investing in environmental restoration. Furthermore, unlike the legislation we are considering today, our bill would invest in worker retraining and would end the corporate welfare practice of stealing money earmarked for environmental restoration and placing it into off-budget slush fund accounts used to promote clear-cutting.

Lastly, unlike the bill today, H.R. 2789 is consistent with the views of the American people who in recent polling have indicated that they oppose logging on national forests. Therefore, H.R. 2789 offered by Mr. LEACH and myself would end commercial logging on our national forests while providing for worker retraining and environmental restoration.

The bill before us today falls far short of H.R. 2789, and I urge my colleagues to vote down this misnamed bill.

Mr. POMBO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think that it is important to understand exactly what the Smith amendment attempted to do. The language of the Smith amendment states that no funds shall be used either directly through direct allocations from the fund or indirectly from allocations to recovery projects from other Forest Service accounts for the construction of roads in those areas within the recovery project where the construction of roads would be prohibited by any Federal environmental law or applicable land management plan.

Now the Boehlert amendment, and I doubt very strongly if there is a Member of the House, if they actually read the Boehlert amendment, would vote for it. And please, before my colleagues cast their vote, actually read the Boehlert amendment because it goes on to change that and say, "... policy that is in effect or has been proposed in the Federal Register by the day of the enactment of this law."

□ 1245

So any policy, any policy. We are not just talking about roadless areas. We are talking about any policy that is in effect or has been proposed in the Federal Register now becomes law.

The gentleman is completely and thoroughly abdicating any responsibility that the legislative branch has. Any authority that the legislative branch has. He is saying any policy that this administration has in effect today or that they have even proposed, that they have even put in the Federal Register, we are giving up on that.

That is the effect of putting the Boehlert amendment in.

We can have a grand debate about roads. We have heard a lot of pretty funny stuff that has come out here today. I have heard people say that our forests are not in bad condition and that they do not need to be taken care of and that the only way that we can manage them is just to leave them alone and keep people out of it. I think that just shows a complete lack of knowledge as to what is going on in our forests, in our national forests in America today.

The truth of what we are saying is we do not care if the Committee on Agriculture has held any hearings on this or not. We do not care if the Committee on Resources has held any hearings on this or not. We do not care whether or not Congress agrees with these policies or not. We do not care about any of that.

What we are saying is any policy that is in effect or has been proposed in the Federal Register all of a sudden becomes law. I would guarantee that if we knew all of the policies that are in effect, all of the policies that have been proposed, there is no way we would support that.

The gentleman from New York (Mr. BOEHLERT) would have us believe that all that this affects is a little roadless area, and that is all we are doing. That is not all we are doing. By the very language that he uses in his amendment, this is as extreme and radical as we can possibly get. We just give up on everything and say whatever the administration has proposed, any policy they have in effect, anything that they want, we are going to put that on this bill. We are just going to go that way. That is the exactly wrong way to go.

I know the gentleman from California (Mr. MILLER) and I have had a lot of discussions over the years about our forests, the health of our forests, and had some great debates on the floor of this House about what to do on environmental policy and on forest policy. But I am sure that he and his colleagues on the other side of the aisle would agree that it is bad policy for this House to, all of a sudden, say any policy that the administration has in effect, and I know he disagrees with the policies that the administration has in effect, I know many of my colleagues disagree with the policies that this administration has in effect, but any policy that they have in effect today becomes law. It is not just the ones that they are already using, that they are already implementing out in the field; it is anything that they have proposed in the Federal Register all of a sudden goes into effect with the enactment of this law.

I do not think any of my colleagues, if they read this amendment and truly understand what the impact of this amendment is, could possibly, possibly

support this, because this is about as extreme an abdication of our responsibilities and our authority as the legislative branch as we could possibly get.

The CHAIRMAN. The time of the gentleman from California (Mr. POMBO) has expired.

(By unanimous consent, Mr. POMBO was allowed to proceed for 1 additional minute.)

Mr. POMBO. Mr. Chairman, if we are going to have some kind of a national forest policy that takes care of our forests, that ensures that we have healthy forests that are full of wildlife and all the things that in our mind's eye we think of when we think of national forests, this is the wrong way to go; because what this is saying is we are not going to get together in a bipartisan fashion, we are not going to hold hearings, we are not going to go out to the forests and look at them and see what is there. We are not going to do anything that our constituents expect us to do.

What we are going to do is, we are just going to willy-nilly accept any policy that this administration has in effect, or anything that they have proposed to put into effect, and we are going to accept that. That is not what our constituents expect us to do. That is not what they sent us back here to do.

Whether we agree or disagree with the underlying bill, our constituents did not send us back here to vote blindly for any policy that this administration has in effect or anything that they proposed.

When we talk about the roadless, they have not even finished the hearing process. They have not even finished the comment period process, and we are going to accept it. They have not even finished it yet, and we are going to accept it. That is bad public policy.

I have only been here for a short period of time compared to most of my colleagues, but I can tell them there is no way that their constituents expect them to come back here, and I have never seen anything like this put on the floor of the House, where we will just blindly accept whatever policies the administration has in effect or anything that they have proposed.

Mr. RADANOVICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, right now there is an ongoing public comment period on the administration's proposed moratorium on road building. This amendment, the Boehlert amendment, would override that public process. This amendment, the Boehlert amendment, would put the road moratorium proposal into law and cut the public entirely out of the process.

The Boehlert amendment then violates the public process that the other side claims to be so important. The

Boehlert amendment overrides the regulatory process. It overrides the Administrative Procedures Act. But, most importantly, it violates the people who in good faith are participating in a national discussion on how to manage the road and infrastructure in our national forests.

The Smith amendment reaffirms this Congress' commitment that we shall not, I repeat, "not" build roads in sensitive areas that are off limits to roads under our current environmental laws; and that is the bottom line.

Ms. FURSE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, a number of colleagues here have spoken about why would anybody build a road that is not needed; that it is very expensive to build a road. One colleague pointed out what it cost him to build his own road.

Yes, I agree it is extremely expensive to build roads, but the reason that we build these roads is that it is the public who pays for the roads. We build these roads so that companies can go in, get the timber out, but they do not pay for the roads.

So that is why it is a problem. Yes, it is expensive and, yes, the public has paid twice: for the road and for the loss of the natural resources.

Mr. Chairman, I am happy to yield to my colleague, the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Chairman, I thank the gentlewoman from Oregon for yielding, because she makes a very important point, that is, why we had so many roads; because nobody had to figure out the cost-benefit of those roads.

But if anybody wondered what the impact of the Smith amendment is without the Boehlert amendment, the gentleman from Oregon (Mr. SMITH) got up and said he wanted to offer his amendment because it would take road building out of this bill.

Yet the very people who have gotten up and spoken said the Smith amendment is key to continue road building. They cannot envision the bill without the Smith amendment, because they cannot envision this bill without road building, so therefore they want the Smith amendment.

I think it is very clear that we need the Boehlert amendment, because the Smith amendment would eviscerate the moratorium with respect to these projects. These projects are so loosely defined that they can be a whole national forest.

So we all know that the current law would not prohibit the road building that the gentleman from Oregon (Mr. SMITH) talked about. In fact, under the Smith amendment, and the reason these people support the Smith amendment who have gotten up to speak here is because they are in support of road building, and they wanted more roads, and that is what the Smith amendment

allows. So we should vote aye on Boehlert and no on Smith.

Mrs. CHENOWETH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I do want to speak very briefly to rebut the argument by the sponsor of this amendment when he said that maintaining and repairing roads would not be possible. Well, if we read the amendment, we will see that in fact what I said is true, that maintaining and repairing roads is not possible, because it says "or policy that is in effect."

The Clinton administration policy right now is to not allow those roads to be maintained and repaired. So I just want everyone to know that that was factual.

Mrs. CHENOWETH. Mr. Chairman, this is a sad day. I would think that this proposal would be funny because it is so extreme, if it were not so sad, with regards to what is actually happening in these public lands.

The gentleman from New York (Mr. BOEHLERT) tried to convince us that the plain reading of this language would affect only presently designated roadless areas. He has been here a long time, and he knows how to read law, but he also knows how to try to convince people to vote for his amendment, because he is absolutely wrong.

The plain reading of the language says that it not only reaches to what has been presently designated roadless, but all public forests, all public lands, and anything else that they want to dream up, including ecosystem management plans that are now going on in the Pacific Northwest, which, by the way, affects private and State resources also. So this is very, very far-reaching. I think that this demonstrates how far and how extreme this extreme environmental movement has reached.

I know the gentleman from New York was very concerned about the Sherwood Forest, and he fought very hard for that. But if this proposal were made and employed against the Sherwood Forest, he would be as upset as we are.

The issue also is public access. These lands, these public lands, especially in the West, were set up for humans to also have public access for recreational purposes, but also to be able to fight fires.

Last year, in just 1 year, we burned more trees than we harvested in the whole history of the United States. We burned those trees, and they are left standing as lonely sentinels in the forest, and we are not able to get in and recover them because of the existing extreme policies. Now Mr. BOEHLERT wants to take it even further.

Another problem is wildlife habitat. When we have burned forests, when we



have forests that have been degraded of the foodstock for our wildlife, we lose our wildlife. In fact, in Idaho, the elk herd is diminishing because the habitat is diminishing.

Watershed stability. We have heard debate today about the fact that roads create sediment in the streams. I could tell my colleagues that if all of these people who I have invited to come to the Northwest and view these forests situations with me, who also are on my committee, would accept the invitation and come out and see for themselves, they truly would see it is not the roads that are the biggest problem; it is unstable watershed because of fire. When the forests burn, of course it creates a situation where we have a lot of mud slides. That is what is destroying our streams.

Again, I would like to say that this is a proposal that is extreme, the most extreme proposal I have ever seen. It ratifies and memorializes in law the illegal activity of the present administration in setting aside a roadless moratorium without the benefit of going through present legal requirements, like the National Environmental Policy Act, the Administrative Procedures Act. Even in the open houses that the Forest Service is having all over this Nation, especially in the West, the overwhelming opinion is against this roadless moratorium because it shuts humans out of the forests.

Mr. POMBO. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from California.

□ 1300

The CHAIRMAN. The time of the gentlewoman from Idaho (Mrs. CHENOWETH) has expired.

(On request of Mr. POMBO, and by unanimous consent, Mrs. CHENOWETH was allowed to proceed for 2 additional minutes.)

Mr. POMBO. Mr. Chairman, in the hearings of the Subcommittee on Forests and Forest Health that the gentlewoman held here in Washington, and I understand the gentlewoman has held field hearings on these issues as well, has this policy that has been proposed, not even enacted, but a proposed policy by the administration, is there any consensus out in the gentlewoman's area or anywhere throughout the West?

Mrs. CHENOWETH. Mr. Chairman, in the West, in the areas where it will affect people, human beings, the consensus is very strongly against this roadless policy, very, very strongly against it.

Mr. POMBO. Mr. Chairman, so the people that are affected by this directly, those people who have chosen to live and work near our national forests, are opposed to it; and yet this amendment, if adopted, would adopt this policy?

Mrs. CHENOWETH. Mr. Chairman, I would say to the gentleman that they

are strongly opposed to it not only because of their jobs, but because of their knowledge that it will continue to degrade the forest health.

Mr. POMBO. Mr. Chairman, if the gentlewoman will continue to yield, is it the gentlewoman's understanding that the normal course of action around here is that before a normal law is enacted, Congress hold hearings and hold votes and have the great debate on that particular law before it becomes the law; and yet if this policy were adopted, we would have numerous policies and proposals from the administration which would all of a sudden become law. Is that the normal course?

Mrs. CHENOWETH. Mr. Chairman, it is not the normal course, as I understand it and as most Americans understand it. It is a big disappointment.

Mr. POMBO. Mr. Chairman, if the gentlewoman will yield further, does the gentlewoman know of any time in the history of Congress where we just willy-nilly adopted all policies and proposals from the administration?

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, no, and such a vast policy would affect the national forests on one-third of our land base.

The CHAIRMAN. The time of the gentlewoman from Idaho (Mrs. CHENOWETH) has again expired.

(On request of Mr. POMBO, and by unanimous consent, Mrs. CHENOWETH was allowed to proceed for 1 additional minute.)

Mr. POMBO. Mr. Chairman, as chairwoman of the committee of jurisdiction over this issue, and probably the person with the greatest knowledge of our national forests, would the gentlewoman have any clue how many policies and proposals this could possibly impact?

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, it would impact all of the public lands on one-third of the Western continent.

Mr. POMBO. Mr. Chairman, I would ask the gentlewoman, how many policies and proposals are there out there that the administration has that this could possibly impact?

Mrs. CHENOWETH. Mr. Chairman, again reclaiming my time, I would respond by saying, literally, hundreds of thousands.

Mr. POMBO. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. MILLER of California. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, in talking about hearings on the Boehlert amendment, how many hearings were there on the Smith bill in the Subcommittee on Forests and Forest Health?

Mrs. CHENOWETH. Mr. Chairman, none.

Mr. POMBO. Mr. Chairman, will the gentlewoman yield?

Mrs. CHENOWETH. I yield to the gentleman from California.

Mr. POMBO. Mr. Chairman, I would answer that by saying at least we are having debate and a vote on that. The gentleman from California (Mr. MILLER) has no clue, all of the policies and proposals that the Boehlert amendment would include. We cannot even debate that single issue.

Mrs. CHENOWETH. Mr. Chairman, reclaiming my time, there is joint jurisdiction between the Committee on Resources and the Committee on Agriculture. There were seven hearings held on the Smith bill.

Mr. HERGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the Smith amendment before us and oppose the extreme amendment offered by the gentleman from New York (Mr. BOEHLERT).

The legislation of the gentleman from Oregon (Mr. SMITH) is a critical step forward as we seek to restore the health of our national forests. I am disappointed that there are some of my colleagues that would be willing to sacrifice the health of our national forest system to advance an extreme environmentalist agenda which could lead to no fuel reduction and no more road building on Federal lands.

Our forests need the option of building roads as an integral tool in allowing access to restoring forest health. According to forest fire-fighters in my district in northern California, in order to survive wildfires are very often those areas that have been treated for fuel reductions. This means that the dense underbrush and the intermediate levels of trees are thinned, not clear-cut. They are not harvested using traditional commercial harvest methods, but carefully thinned so that fire will not destroy the entire forest. These threatened areas are also relatively safe havens for our fire-fighters as they battle a raging blaze as an untreated area of the forest.

For the safety of our brave fire-fighter crews, as well as the health of our forests, we need the legislation offered by the gentleman from Oregon (Mr. SMITH), and we need it without the extreme Boehlert amendment.

Mr. Chairman, I would like to refer now to two photographs next to me. These photographs graphically illustrate some of the problems that we must address before our forests are tragically destroyed by catastrophic fire. These gray areas represent both an unhealthy forest condition and an extraordinary fire hazard. Areas like this do not simply burn, they explode into devastating, highly intense fires, such as we see on the far left. These fires are absolutely devastating to the landscape. These areas must be treated.

In 1994, our worst fire season on record, former chief of the Forest Service, Jack Ward Thomas, stated, quote, "We cannot, in my opinion, simply step back and wait for nature to take its course. I do not believe that what has happened this fire season is acceptable as a solution to the problem. These fires of this scale and intensity are too hot, destructive, dangerous and too ecologically, economically, aesthetically and socially damaging to be tolerable," end of quote.

Historically, Western forests were filled with stands of large trees, and the forest floors were less dense and were periodically thinned out by small fires that effectively removed dense underbrush while sparing the large trees.

The Smith amendment is a science-based, environmentally sound mechanism to begin the long process of restoring our forests to a more natural state. This legislation prioritizes areas at the greatest risk of destruction, while complying with all, and I emphasize, complying with all, current environmental laws and forest plans. It establishes an independent scientific panel to ensure that all activities are applied in a way that improves forest health, using the best available and most current science. It establishes agency accountability for results on the ground and ensures fiscal responsibility by mandating annual reports to Congress. It also creates independent audits of agency performance. Most importantly, this legislation creates incentives for the Forest Service to make timely, efficient management decisions before our forests are destroyed by catastrophic fire.

While some will argue that we should simply allow these forests to heal themselves over time, that approach does not adequately consider the tinderbox conditions of many areas of our national forests. We cannot simply pretend as though many decades of well-intentioned, but environmentally unwise fire suppression activities have not impacted our forests. We cannot just walk away from this problem.

Mr. Chairman, I urge my colleagues to listen to the science, listen to the concerns.

The CHAIRMAN. The time of the gentleman from California (Mr. HERGER) has expired.

(By unanimous consent, Mr. HERGER was allowed to proceed for 2 additional minutes.)

Mr. HERGER. Mr. Chairman, I urge my colleagues to listen to the science, listen to the concerns voiced by former Forest Service chief, Jack Ward Thomas. Vote against the extreme Boehlert amendment and vote yes on the Forest Recovery and Protection Act.

Mr. Chairman, I want to make a special invitation to my colleagues. We in my district in northern California for each of the last 8 years have had what

we call a woods tour to which we invite Members of Congress and others to come into our woods and see firsthand what we have in northern California to visit, some of the nine national forests that are in our beautiful area of the Sierra Nevada mountains and cascades and, too, as Paul Harvey would say, show you the rest of the story.

Well, let me just share with my colleagues just a little bit of the rest of the story, and at this time I want to invite you to come with us on this year's tour which will be June 12, 13 and 14, to come and visit our forests. Let me show my colleagues some of what my colleagues would see there. Again, look at these forests here.

We know about the heavy rains we are receiving this year and last year, but guess what? Over the last 12 years, 6 of those 12 years have been drought years; 5 of those 6 years have been continuous drought years, and what we see in our northern forests in northern California are many areas just as my colleagues see here of dead and dying trees.

We have areas of our forests that are 60 and 70 percent dead and dying, and unless we have a road that can get us into these areas so as to be able to remove these trees, these trees, it is not a question of will they burn in an area where we have natural lightning strikes, it is only when they will burn; and when they do burn, not only are these gray areas completely burned, but they completely destroy all of the healthy areas.

Again, I urge my colleagues' strong opposition to the extreme Boehlert amendment.

Mr. HAYWORTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Smith amendment and would urge this House and my colleagues to overwhelmingly reject the Boehlert amendment.

Mr. Chairman, I am struck by the irony and indeed the absurdity of what I hear from my friends on the left, and we hear echoes through history. One of the most absurd statements of our recent history was this: In order to save the village, we had to destroy it. And make no mistake, Mr. Chairman, the extreme notions offered in the Boehlert amendment offer the same rationale. For indeed, Mr. Chairman, I would invite all of my colleagues, as my colleague from California just has, to come to the 6th District of Arizona, to see what is about to transpire, and if some colleagues are more comfortable in the concrete canyons of Manhattan or the cocktail parties of the bay area, then that is fine, but I can tell them firsthand what exists in the 6th District of Arizona, in the wake of what transpired with our last bout with El Nino, we had rapid and massive undergrowth, and in the 6th District of Ari-

zona, there was a fire that came to be known as the "Dude Fire." It threatened real people.

It is not a matter for humor, to some of the staffers who would smile in bemusement on this floor. It threatens the very livelihoods and homes of the people who live in the 6th District of Arizona. This is not some far-flung rationale for fund-raising by an interest group. This is not some way to get back at corporate America, for in abdicating our constitutional responsibility, as the gentleman from California (Mr. POMBO) from California so eloquently pointed out, we allowed, by bureaucratic fiat, the systematic destruction of homes and livelihoods across the country, but especially in the American West.

Mr. Chairman, long before I came to this Chamber in the 103rd Congress, a group of dendrologists testified before various committees that because of a lack of reasonable forest management, a corridor of fire could extend from Idaho to Mexico, and what will happen in the 6th District. God forbid, but what most likely will happen is that we will have a fire this summer, and I hope not, I fervently pray not, but conditions can exist where we could have a fire that should not be named "Dude 2," it ought to be named after the devil himself. And we have this type of inaction because it seems, sadly, that there are those who would abdicate the responsibility that we have constitutionally in favor of bureaucratic fiat and in favor of a misguided notion that if somehow we stop roadbuilding, if somehow we stop effective forest management, somehow we are saving the forests.

Mr. Chairman, while there may be some ideological bank accounts in terms of mail order ideology and scaring the American people, the real fear should come from this, that we are threatening people's homes, we are threatening people's livelihoods and fundamentally, we are threatening the very forests we allegedly have pledged to save.

Mr. Chairman, with every ounce of sincerity and honesty, and while we acknowledge freely differences of opinion in this Chamber, Mr. Chairman, I appeal to this House not to abandon the rural citizens of America, not to abandon their livelihoods, their well-being, not to abandon reasonable forest management with what is a renewable resource.

□ 1315

This is a health and public safety issue my colleagues neglected for the sensational headlines of today, and at the same time put the lives and livelihoods of Americans at peril.

I urge the Members, overwhelmingly, reject the Boehlert amendment, preserve the Smith language, preserve our national forests, preserve a way of life



that calls for a true balance between environmental safety and economic well-being.

Mr. RADANOVICH. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield to the gentleman from California.

Mr. RADANOVICH. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, the Smith amendment does not change any current policy on roadbuilding. The Boehlert amendment would codify an administrative process on road moratoriums that is currently under a public hearing process and is not finished. I urge all of my colleagues to vote no on Boehlert, yes on Smith, and yes for forest health.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Boehlert amendment.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman from California for yielding to me.

Mr. Chairman, I would point out, we did not raise this issue. We were offering no amendments until we needed to respond to the base amendment that was offered here. My amendment was not the extreme amendment. It is an effort to get back to the language in the original bill of the gentleman from Oregon, Chairman SMITH.

This amendment, my amendment, the perfecting amendment, applies only to programs in this bill, not to other Forest Service programs. I want to make certain everyone understands that clearly.

Mr. BONIOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California.

Mr. MILLER of California. I thank the gentleman for yielding to me, Mr. Chairman.

Mr. Chairman, we are about at the end of this debate, under the rule. I want to say to my colleagues who have been listening to the debate, we were told at the outset of this debate that this legislation had nothing to do with salvage. During the debate we learned it had a lot to do with salvage. Although we changed the words, it was still basically a salvage and commercial timber bill.

We were told with the offering of the Smith amendment this debate and this bill had nothing to do with roads. Now we see, with the debate of the Smith amendment, it has everything to do with roads, because the proponents of this legislation do not believe that we can have forest health if we do not con-

tinue to push roads into roadless areas, into areas that have not yet been logged.

Yet, all of the scientific data that we have gathered says that in fact the areas where there are already roads, where there is a \$10 billion backlog in the Federal effort to go back and try to restore and clean up those forests, those are the forests that are most devastated. Those are the forests that are the most denigrated by past policies. Yet, we are told by the proponents of this bill that unless we push roads into new areas we cannot have forest health.

We cannot take care of the 380,000 miles of roads we have today. We have not even begun to repair those areas. We can do all of the salvage logging that the Federal budget will handle off of existing roads, and yet somehow they insist that they must have the right to push in tax-subsidized roads into roadless areas.

The roads we have in the national forests are greater than the roads we have in the National Highway System. We have more miles in the national forests than we have in the National Highway System. We have enough roads in the national forests to go around the world 16 times.

Those roads are killing our national forests. Yet, the proponents of the Smith amendment, the proponents of the Smith bill, insist that they cannot have forest health without spending millions and millions of taxpayer dollars to subsidize roads into the new areas. That is why they are speaking so strongly in front of the Smith amendment. That is why the gentleman from New York (Mr. BOEHLERT) was forced to offer this amendment, to say stop, to say stop, because the Smith amendment provides for increased roadbuilding in the national forests.

When my colleagues come here to vote on the floor, they have to vote for the Boehlert amendment to have any opportunity to restore forest health, and they have to vote against the Smith amendment, because it simply increases the waste and abuse of taxpayer dollars to build subsidized roads to take logs off of the forests, which continues to create the forest health problems we have.

If we go to the top areas in the forest across the country where we have forest health problems, they are areas that have been heavily logged, they are areas that have been heavily roaded, and it has been devastating to the pocketbook of the taxpayer, it has been devastating to the local environment.

Mr. Chairman, this is not about rural voters. In the State of California we have so over-roaded the Sierra Nevada that we now risk losing the entire forest in that area. Yet, our colleagues would have us believe that the only way we can save the Sierra Nevada is to punch more roads into it. We now

find ourselves in the middle of every rainstorm having huge landslides that continue to destroy more of the forests, they destroy the roads, and they destroy the streams.

That is the policy that this administration is trying to fix. That is the policy that the Smith amendment does not agree with. That is why they are pushing for the Smith amendment, to increase the obscene mileage of roads that are already in the national forests. That is why they need \$150 million out of the current trust funds to pursue this. That is why they need another \$100 million in taxpayers' money to pursue these roads.

This should not be allowed to happen. We should vote yes on the Boehlert amendment and no on the Smith amendment.

Mr. GILCHREST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just have a question to ask. First of all, in my judgment this is a bill not about roads, it is not about logging, it is not about salvage, it is not about inappropriately using the taxpayers' dollars. This is a bill to target areas that need recovery. That is basically what this bill is, to recover those areas of our national forests that are having problems.

Mr. Chairman, the area we are discussing now is on page 29, lines 15 through 22. It starts out by saying, and this is the original language before it was amended, "Prohibition on use of any funds," "prohibition on use of any funds to construct new permanent roads." It seems to me they can construct roads that are not permanent.

What I would like to do, I would say that is a prohibition on new permanent roads in all recovery areas, all recovery areas, whether they are roadless or whether they are not roadless.

My question to the gentleman from New York (Mr. BOEHLERT), could he explain his amendment briefly? The gentleman has a prohibition of?

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I would say for my distinguished colleague, the gentleman from Maryland, for whom I have the greatest respect, that this bill was not about roads primarily, initially, but this amendment suddenly makes it about roads.

My amendment simply says for the programs in this bill, and only the programs in this bill, you cannot build roads in roadless areas. It is that basic.

Mr. GILCHREST. So, Mr. Chairman, the gentleman's amendment would allow the building of roads in recovery areas that are not roadless areas?

Mr. BOEHLERT. That is correct. The gentleman is correct.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding to me.

It was not my intention to speak on this matter. However, it is my understanding that the recovery areas have not been determined in any final form yet, and that there are portions of the forest that could very well be included in recovery areas that could be a surprise to almost anyone on the floor.

I gather it has been suggested that the San Bernadino National Forest, which is in my territory, could very well be designated as a recovery area. If that was the case and San Bernadino National Forest was included, I would have to conclude that there would be some threat to the access to those forests that we might need if there were a horrendous fire. Can somebody help me with that?

Mr. BOEHLERT. If the gentleman will continue to yield, Mr. Chairman, this is limited only to places where timbering already occurs or is likely to occur. So that is the original bill.

What I am saying, what my perfecting amendment says, it wants to get more in line with the original language of the gentleman from Oregon (Chairman SMITH), but the gentleman from Oregon (Chairman SMITH) has been besieged by a few members of the conference to make an adjustment.

Mr. GILCHREST. Mr. Chairman, reclaiming my time, my concern was trying to understand the nature of the amendment compared to the original text of the bill, and try to differentiate between the Boehlert amendment and the Smith amendment to the original text of the bill.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman from California (Mr. LEWIS) is recognized for the time remaining between now and 1:30 p.m.

Mr. LEWIS of California. Mr. Chairman, I wonder if I could ask a question of my colleague, the gentleman from California (Mr. POMBO).

I had heard in the earlier debate that it is conceivable that as recovery areas are designated, that indeed, my own national forest could end up being possibly a part of a recovery area. Is that correct?

Mr. POMBO. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. POMBO. Mr. Chairman, I would tell the gentleman, yes, it is correct.

Mr. LEWIS of California. Help me with this hypothetical; not exactly a hypothetical.

Last year we had a major fire in the San Bernadino forest. In fact, my wife and I were driving past the front of that fire on a valley road and noted the

helicopters up there, and said, my goodness, that is a very dangerous job these guys have. They were doing it because of a limitation of access, not available roads, et cetera. The following day we learned that one of those helicopters had crashed and this fellow, the pilot, was killed.

Indeed, our region has huge problems with fire threats, and the national forest has been in horrid condition. I am concerned that if it were part of a recovery area, conceivably suddenly we would have a major limitation to repairing access roads, building necessary access roads.

Is that the case in this circumstance?

Mr. POMBO. Under this circumstance, that would be the case, Mr. Chairman. Unfortunately, I am familiar with the San Bernadino forest and I know it would be an excellent place for a recovery area, because it does need some help. But in trying to recover that particular forest, they would be limited by this amendment on being able to construct access points into that particular forest.

Mr. LEWIS of California. Mr. Chairman, it seems to me that this forest conceivably could be part of a recovery area. It has been under serious difficulty in recent years because of the recent history of dry weather. A spark could literally unguish the whole mountainside.

To pass an amendment that conceivably could put in jeopardy a protection program relative to preserving ourselves against fire disaster seems to me to be a pretty extreme position, for someone who lives in the territory, at any rate.

Mr. POMBO. If the gentleman will continue to yield, Mr. Chairman, the gentleman from New York (Mr. BOEHLERT) is trying to have us believe that this amendment he has is somehow a limited amendment, in some way it is limited to one specific problem that he perceives there to be.

The fact of the matter is, read his amendment. It says, any public policy that is in effect or has been proposed in the Federal Register. So there is no one on this floor today who can tell us how many public policies are in effect today, and how many have been proposed.

So if the gentleman's forest is a recovery area, we are talking about any public policy that is in effect, or anything that has been proposed is going to be covered.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I want to point out that the example cited by the gentleman, and I am very sensitive to that, would be taken care of under existing Forest Service programs. This is a very narrow, targeted area.

Mr. LEWIS of California. I would ask the gentleman from New York (Mr. BOEHLERT), I have read his amendment with care. It says, following the word "law," "or policy that is in effect on the date of the enactment of this Act, or has been proposed in the Federal Register."

□ 1330

The CHAIRMAN pro tempore (Mr. LATOURETTE). Under the previous order of the House of Thursday, March 26, 1998, all time for consideration of amendments has expired. The Chair will now put the question on the pending amendments.

The question is on the amendment offered by the gentleman from New York (Mr. BOEHLERT) to the amendment offered by the gentleman from Oregon (Mr. SMITH).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. BOEHLERT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 2 of rule XXIII, the Chair will reduce to 5 minutes the time for a recorded vote, if ordered, on the underlying Smith amendment.

The vote was taken by electronic device, and there were—ayes 200, noes 187, not voting 43, as follows:

[Roll No. 79]

#### AYES—200

Abercrombie	Eshoo	Kennelly
Ackerman	Etheridge	Kildee
Allen	Evans	Kilpatrick
Andrews	Farr	Kind (WI)
Baessler	Fattah	Klecza
Baldacci	Fawell	Klug
Barrett (WI)	Fazio	Kucinich
Bass	Filner	LaFalce
Bentsen	Foley	Lampson
Berman	Forbes	Lantos
Bilbray	Fox	Lazio
Blirakis	Frank (MA)	Leach
Blagojevich	Franks (NJ)	Levin
Blumenauer	Frelinghuysen	Lewis (GA)
Boehlert	Furse	LoBiondo
Bonior	Ganske	Lofgren
Borski	Gedjenson	Lowe
Boswell	Gephardt	Luther
Boucher	Gilchrest	Maloney (CT)
Brown (CA)	Gillmor	Manton
Brown (OH)	Gilman	Markey
Capps	Goodling	Martinez
Carson	Gordon	Matsui
Castle	Goss	McCarthy (MO)
Chabot	Green	McCarthy (NY)
Clayton	Greenwood	McGovern
Clement	Gutierrez	McHale
Clyburn	Hall (OH)	McIntyre
Costello	Hamilton	McKinney
Coyne	Hastings (FL)	Meehan
Cummings	Hefner	Meeks (NY)
Davis (FL)	Hinchey	Menendez
Davis (IL)	Holden	Miller (CA)
Davis (VA)	Hooley	Miller (FL)
DeFazio	Horn	Mink
DeGette	Hoyer	Moakley
DeLauro	Hulshof	Moran (VA)
Deutsch	Jackson (IL)	Morella
Diaz-Balart	Johnson (CT)	Murtha
Dingell	Johnson (WI)	Nadler
Dixon	Kanjorski	Neal
Doggett	Kaptur	Nussle
Ehlers	Kelly	Obey
Engel	Kennedy (MA)	Olver
English	Kennedy (RI)	Ortiz



Owens  
Pallone  
Pappas  
Pascarelli  
Pastor  
Pelosi  
Petri  
Porter  
Poshard  
Price (NC)  
Quinn  
Ramstad  
Reyes  
Rivers  
Rodriguez  
Roemer  
Ros-Lehtinen  
Rothman  
Roukema  
Roybal-Allard  
Rush  
Sabo

Sanders  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schumer  
Scott  
Sensenbrenner  
Serrano  
Shaw  
Shays  
Sherman  
Skaggs  
Skelton  
Slaughter  
Smith (NJ)  
Smith, Adam  
Snyder  
Spratt  
Stabenow  
Stark  
Stokes

Strickland  
Sununu  
Tanner  
Tauscher  
Taylor (MS)  
Thompson  
Tierney  
Torres  
Towns  
Velázquez  
Vento  
Visclosky  
Walsh  
Waxman  
Weldon (PA)  
Wexler  
Weygand  
White  
Woolsey  
Wynn  
Yates

## NOES—187

Aderholt  
Archer  
Armey  
Bachus  
Baker  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bereuter  
Bishop  
Bliley  
Blunt  
Boehner  
Boyd  
Brady  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Chambliss  
Chenoweth  
Coble  
Collins  
Combest  
Condit  
Cox  
Cramer  
Crane  
Crapo  
Cubin  
Cunningham  
Danner  
Deal  
Delahunt  
DeLay  
Dickey  
Dicks  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehrlich  
Emerson  
Ensign  
Everett  
Ewing  
Fossella  
Gallegly  
Gekas  
Gibbons

Goode  
Goodlatte  
Graham  
Granger  
Gutknecht  
Hall (TX)  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hilliard  
Hobson  
Hoekstra  
Hostettler  
Hunter  
Hutchinson  
Hyde  
Ingalls  
Istook  
Jenkins  
John  
Johnson, Sam  
Jones  
Kasich  
Kim  
King (NY)  
Kingston  
Klink  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
Livingston  
Lucas  
Manzullo  
Mascara  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Mica  
Minge  
Mollohan  
Moran (KS)  
Myrick  
Nethercutt  
Neumann  
Ney  
Northup  
Norwood  
Oberstar  
Oxley

Packard  
Parker  
Paul  
Pease  
Peterson (MN)  
Peterson (PA)  
Pickering  
Pickett  
Pitts  
Pombo  
Portman  
Pryce (OH)  
Radanovich  
Rahall  
Redmond  
Regula  
Riggs  
Riley  
Rogan  
Rohrabacher  
Ryun  
Salmon  
Sandlin  
Schaefer, Dan  
Schaffer, Bob  
Sessions  
Shadegg  
Shimkus  
Shuster  
Siskisky  
Skeen  
Smith (MI)  
Smith (OR)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stump  
Stupak  
Talent  
Tauszin  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Thurman  
Tiahrt  
Traficant  
Turner  
Upton  
Wamp  
Watts (OK)  
Weldon (FL)  
Weller  
Whitfield  
Wise  
Wolf  
Young (FL)

## NOT VOTING—43

Becerra  
Berry  
Bonilla  
Brown (FL)  
Bryant  
Cannon

Cardin  
Christensen  
Clay  
Coburn  
Conyers  
Cook

Cooksey  
Ford  
Frost  
Gonzalez  
Hansen  
Harman

Hinojosa  
Houghton  
Jackson-Lee  
(TX)  
Jefferson  
Johnson, E. B.  
Lipinski  
Maloney (NY)  
McCollum

McDermott  
McNulty  
Meek (FL)  
Millender-  
McDonald  
Paxon  
Payne  
Pomeroy  
Rangel

Rogers  
Royce  
Sanchez  
Smith (TX)  
Waters  
Watkins  
Watt (NC)  
Wicker  
Young (AK)

□ 1349

Mr. HASTERT, Mr. RILEY and Mrs. CHENOWETH changed their vote from "aye" to "no."

Messrs. FAWELL, FOLEY, and HOLDEN changed their vote from "no" to "aye."

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. LATOURETTE). The question is on the amendment offered by the gentleman from Oregon (Mr. SMITH), as amended.

The amendment, as amended, was rejected.

The CHAIRMAN pro tempore. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. LATOURETTE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2515) to address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes, pursuant to House Resolution 394, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. BOEHLERT. Mr. Speaker, I demand we have a vote on the Smith amendment, as amended.

The SPEAKER pro tempore. That amendment was not reported to the whole House. It was defeated in the Committee of the Whole.

The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. MILLER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 201, not voting 48, as follows:

[Roll No. 80]

## AYES—181

Aderholt  
Archer  
Armey  
Bachus  
Baesler  
Baker  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bereuter  
Bishop  
Bliley  
Blunt  
Boehner  
Boyd  
Brady  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Cox  
Cramer  
Crane  
Cubin  
Danner  
Deal  
Diaz-Balart  
Dickey  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fossella  
Fowler  
Gallegly  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Goode  
Goodlatte  
Goodling

Graham  
Granger  
Gutknecht  
Hall (TX)  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilliard  
Hobson  
Hoekstra  
Hostettler  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Ingalls  
Istook  
Jenkins  
John  
Johnson, Sam  
Jones  
Kasich  
Kim  
King (NY)  
Kingston  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
Lewis (CA)  
Lewis (KY)  
Linder  
Livingston  
Lucas  
Manzullo  
Mascara  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Mica  
Moran (KS)  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Oxley  
Packard  
Paxon  
Pease  
Peterson (MN)

Peterson (PA)  
Pickering  
Pickett  
Pitts  
Pombo  
Pryce (OH)  
Radanovich  
Rahall  
Redmond  
Regula  
Riggs  
Riley  
Rohrabacher  
Ros-Lehtinen  
Ryun  
Salmon  
Sandlin  
Schaefer, Dan  
Schaffer, Bob  
Sessions  
Shadegg  
Shaw  
Shimkus  
Shuster  
Siskisky  
Skeen  
Skelton  
Smith (MI)  
Smith (OR)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stump  
Stupak  
Talent  
Tauszin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Thurman  
Tiahrt  
Traficant  
Turner  
Upton  
Watts (OK)  
Weldon (FL)  
Weller  
Whitfield  
Wise  
Wolf  
Young (FL)

## NOES—201

Abercrombie  
Ackerman  
Allen  
Andrews  
Baldacci  
Barrett (WI)  
Bass  
Bentsen  
Berman  
Billbray  
Billirakis  
Blagojevich  
Blumenauer

Boehlert  
Bonior  
Borski  
Boswell  
Brown (CA)  
Brown (OH)  
Campbell  
Capps  
Carson  
Castle  
Chabot  
Chenoweth  
Clayton

Clement  
Clyburn  
Condit  
Costello  
Coyne  
Crapo  
Cummings  
Davis (FL)  
Davis (IL)  
Davis (VA)  
DeFazio  
DeGette  
Delahunt

DeLauro	Klink	Portman
Deutsch	Klug	Poshard
Dicks	Kucinich	Price (NC)
Dingell	LaFalce	Quinn
Dixon	Lampson	Ramstad
Doggett	Lantos	Reyes
Ehlers	LaTourette	Rivers
Engel	Lazio	Rodriguez
Eshoo	Leach	Roemer
Etheridge	Levin	Rogan
Evans	Lewis (GA)	Rothman
Farr	LoBlundo	Roukema
Fattah	Lofgren	Roybal-Allard
Fawell	Lowey	Rush
Fazio	Luther	Sabo
Filner	Maloney (CT)	Sanders
Foley	Maloney (NY)	Sanford
Forbes	Manton	Sawyer
Fox	Markey	Saxton
Frank (MA)	Martinez	Scarborough
Franks (NJ)	Matsui	Schumer
Frelinghuysen	McCarthy (MO)	Scott
Furse	McCarthy (NY)	Sensenbrenner
Ganske	McGovern	Serrano
Geddeson	McHale	Shays
Gephardt	McIntyre	Sherman
Gilman	McKinney	Skaggs
Gordon	Meehan	Slaughter
Goss	Meeke (FL)	Smith (NJ)
Greenwood	Meeks (NY)	Smith, Adam
Gutierrez	Menendez	Snyder
Hall (OH)	Miller (CA)	Spratt
Hamilton	Minge	Stabenow
Hastings (FL)	Mink	Stark
Hefner	Moakley	Stokes
Hilleary	Mollohan	Strickland
Hinchee	Moran (VA)	Tauscher
Holden	Morella	Thompson
Hoolley	Murtha	Tierney
Horn	Nadler	Torres
Hoyer	Neal	Towns
Jackson (IL)	Neumann	Velázquez
Johnson (CT)	Obey	Vento
Johnson (WI)	Oliver	Visclosky
Kanjorski	Ortiz	Walsh
Kaptur	Owens	Wamp
Kelly	Pallone	Waxman
Kennedy (MA)	Pappas	Weldon (PA)
Kennedy (RI)	Pascarell	Wexler
Kennelly	Pastor	Weygand
Kildee	Paul	White
Kilpatrick	Pelosi	Woolsey
Kind (WI)	Petri	Wynn
Kleczka	Porter	Yates

## NOT VOTING—48

Ballenger	Edwards	Millender
Becerra	Ford	McDonald
Berry	Frost	Miller (FL)
Bonilla	Gonzalez	Parker
Boucher	Green	Payne
Brown (FL)	Hansen	Pomeroy
Bryant	Harman	Rangel
Cannon	Hinojosa	Rogers
Cardin	Houghton	Royce
Christensen	Jackson-Lee	Sanchez
Clay	(TX)	Smith (TX)
Coburn	Jefferson	Waters
Conyers	Johnson, E. B.	Watkins
Cook	Lipinski	Watt (NC)
Cooksey	McCollum	Wicker
Cunningham	McDermott	Young (AK)
DeLay	McNulty	

□ 1409

The Clerk announced the following pair:

On this vote:

Mr. Edwards for, with Mr. Green against.

Mr. FOLEY and Mr. CRAPO changed their vote from "aye" to "no."

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore (Mr. PEASE) laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 27, 1998.

Hon. NEWT GINGRICH,  
Speaker of the House, Washington, DC.  
DEAR MR. SPEAKER: Please accept this letter as my formal resignation from the House Committee on Small Business.

With best wishes,  
Sincerely,

JOHN E. BALDACCIO,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.  
There was no objection.

## ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 400) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## HOUSE RESOLUTION 400

Resolved, that the following named Members be, and that they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on International Relations: Lois Capps of California.

To the Committee on Science: Lois Capps of California.

To the Committee on Transportation and Infrastructure: John Baldacci of Maine; Marion Berry of Arkansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## LEGISLATIVE PROGRAM

(Mr. FAZIO of California asked and was given permission to address the House for 1 minute.)

Mr. FAZIO of California. Mr. Speaker, I yield to the gentleman from Texas for the announcement of the schedule for next week.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce we have concluded legislative business for the week. The House will next meet on Monday, March 30, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. Members should note that we do not expect any recorded votes before 6 p.m. next Monday.

On Monday, we will consider the following bills under suspension of the rules: House Resolution 398, a resolution urging the President to provide three Blackhawk helicopters to the Colombian National Police to eliminate the production of illicit drugs; H.R.

2186, a bill to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming; H.R. 3113, the Rhinoceros and Tiger Conservation Reauthorization Act of 1998; H.R. 2574, a bill to consolidate certain mineral interests in North Dakota; H.R. 2686, the Iran Missile Protection Act of 1997; H.R. 3485, the Campaign Reform and Election Integrity Act, the Illegal Foreign Contributions Act, the Paycheck Protection Act, and the Campaign Reporting and Disclosure Act.

On Tuesday, March 31, the House will meet at 11 a.m. On Wednesday, April 1, the House will meet at 10 a.m. to consider the following legislation:

The 1998 Emergency Supplemental Appropriations Act, H.R. 10, the Financial Services Competition Act of 1997, and H.R. 2400, the Building Efficient Surface Transportation and Equity Act of 1997.

□ 1415

Mr. Speaker, we hope to conclude legislative business for the week by the evening of Wednesday, April 1. As with the start of any district work period, it is difficult to predict an exact getaway time, but I imagine we should be done with our work by 6 or 8 o'clock on April 1.

Thursday, April 2, marks the beginning of the spring district work period from which the House will return on Tuesday, April 21. We expect recorded votes to be after 5 o'clock on that day.

Mr. Speaker, I would also like to discuss the funeral arrangements for our late colleague from New Mexico, Steve Schiff. A ceremony will be held on Monday, March 30, at 10 o'clock a.m. in Albuquerque, New Mexico. A funeral delegation is scheduled to leave the House steps at 6 o'clock a.m. and return to the House steps at 5:45 p.m. Members desiring to attend the funeral services should contact the Sergeant at Arms office.

I thank the gentleman for yielding me the time.

Mr. FAZIO of California. Mr. Speaker, reclaiming my time, I would inquire of the leader, are we expected to have any late nights next week, and how late would we go on Monday night?

Mr. ARMEY. I thank the gentleman for your inquiry. If the gentleman will yield?

Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. Mr. Speaker, we should expect that we could conclude our business between 7 and 8 on Monday night, and Tuesday night we might be prepared to go late in order to accommodate a completion of work on Wednesday evening.

Mr. FAZIO of California. If I can reclaim my time and ask of the leader, is there a commitment to complete H.R. 10, the Financial Services Act, before we go into recess?

Mr. ARMEY. I thank the gentleman.



Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. Yes, we intend to consider that on Tuesday of next week. Completed.

Mr. FAZIO of California. In addition, if I could ask of the leader, the Speaker has promised a vote on campaign finance reform by the end of March. I note that we have what appear to be four individual bills; I do not know the content of all of them. But is this the fulfillment of that commitment? Are we finished with campaign finance reform when we vote on the four bills that seem to be, at least in the past, part of one campaign finance reform bill?

Mr. ARMEY. If the gentleman will yield?

Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. Next Monday is March 31, and we do have the four bills that we indicated will be up on suspension. That does include the large bill that the gentleman from California (Mr. THOMAS') committee reported out, and then some selections within that bill.

Mr. FAZIO of California. Well, in order to get more information about this, because obviously it is of great interest to the Members, we have been waiting for this for a number of months. Let me yield to the gentleman from California (Mr. FARR) who is a leader in this effort on the House Democratic side.

Mr. FARR of California. I thank the gentleman very much for yielding. And my question pursuant to the campaign finance reform: Are any of those bills democratic bills?

Mr. ARMEY. I appreciate the gentleman's inquiry, and if the gentleman from California will yield?

Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. They are all bills that have been worked on in the House by a number of people from both sides of the aisle. They have all been under consideration in the Committee on House Oversight, and we are of course confident that Members from both sides of the aisle, especially those Members who have so often expressed their hope and their desire to have this vote by the end of March, will have an opportunity to make the votes that they would find useful in advancing their concerns about election reform.

Mr. FARR of California. So there are no Democratic authors. Is Mr. SHAYS', the Meehan bill, one of the bills?

Mr. ARMEY. If the gentleman will yield?

Mr. FAZIO of California. I am happy to yield to the gentleman.

Mr. ARMEY. I am sorry, I just do not know the sponsors of the separate bills.

Mr. FARR of California. And do I understand that on suspension it requires a two-thirds vote in order to pass any of those bills?

Mr. ARMEY. The gentleman's understanding is correct.

Mr. FAZIO of California. I am happy to yield to my friend from Texas.

Mr. DOGGETT. Do I understand from the majority leader, then, that the only discussion of campaign finance scheduled after these many months, and committee comments from both sides of the aisle in favor of it, will be under a procedure that permits no amendments and only 20 minutes to a side to debate each bill and that no bill that passes by a simple majority will become law or be passed by this House?

Mr. FAZIO of California. I am happy to yield to the gentleman.

Mr. ARMEY. I thank the gentleman, and I appreciate the inquiry from the gentleman from Texas.

Obviously, we have been receiving an enormous amount of requests, a sense of urgency that would suggest that perhaps in order to respond to those people who have been so vocal on this matter that haste was more important to their concerns than the substance of the matter, and in this case we believe that we have addressed the critical issues before the electorate in this country, including, and especially, the issue of protecting the paychecks of working men and women of this country, and the opportunities to vote on them will be available, and certainly for those of my colleagues who are so anxious to have this opportunity, I look forward to watching them as they vote for this.

Mr. DOGGETT. Well, if the gentleman will yield further?

Mr. FAZIO of California. I am happy to yield.

Mr. DOGGETT. Haste was very important to us last September when the gentleman told us this issue was going to be coming up, but I missed the answer to my question. Is it correct that the only debate that will be permitted next week on campaign finance will allow 20 minutes to a side for debate, no amendments, and none of this legislation will pass the House if it only secures a majority vote?

Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. I thank the gentleman for yielding. To the gentleman from Texas' inquiry, the answer is yes.

Mr. DOGGETT. I thank the gentleman. It would appear, then, that the last bill that leadership offered is not the only one that has been killed by this House. Campaign finance is as dead as a door nail.

Mr. FAZIO of California. I am happy to yield at this time to one of the cosponsors of the leading bill, the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. I thank the gentleman from California for yielding, and I just would like to clarify a few points.

Our distinguished majority leader says that haste is more important than substance, and I do not understand why

he feels that way. Would he please explain to me why he thinks haste is more important than substance?

Mr. ARMEY. I thank the gentleman. Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. I thank the gentleman from California for yielding, and I thank my colleague for his inquiry.

The leadership of this House is prepared to deal with this issue and to deal with it in the most judicious way, through the efforts of the committees of jurisdiction, and to do so in a manner that does in fact give us an opportunity to comprehensively understand and measure all the concerns of the American people and appropriately respond to them.

I might say, if the gentleman would continue to yield, I am particularly proud of the work that has been done by the Committee on House Oversight, and I believe that the first of the bills that we will consider is very comprehensive, very responsive, very inclusive, and should provide each and every Member of this body with a wonderful opportunity to vote for campaign finance reform in the best interests of honest elections for the American people and all of the American people.

I am very pleased to have the opportunity to put this forward, and for those Members who felt so insistent that it ought to be done by the end of March, I would only suggest that obviously it is those Members that place the emphasis on haste as opposed to substance. The committee of jurisdiction was perfectly prepared to take that time which was necessary to do this job thoroughly, completely, and correctly, and given the strictures of time under which they operated, I think they are to be commended for the thoroughness of their work.

Mr. FAZIO of California. I am happy to yield further to my friend from Connecticut, if he wishes.

Mr. SHAYS. With all due respect to the majority, I never stood in 11 years and questioned my majority leader, and I do not do this lightly, but I am having a difficult time understanding what is being said and what will happen, and I would like to have that clarified for me.

Are you saying that we are moving in haste and that these bills are not substantive? Or that we are not moving in haste?

I would like a clarification.

Mr. FAZIO of California. I am happy to yield further.

Mr. ARMEY. I thank the gentleman for his request, and I appreciate him.

In order to be clear what it is, in fact, that we are saying here, we are saying that on Monday, March 31, under the suspension calendar we will take under consideration the Campaign Reform and Election Integrity Act, a comprehensive campaign finance reform bill that has been reported by the

committee of jurisdiction, the Committee on House Oversight. We will then, after that is considered, move on to consideration of a bill that is written for the purpose of stopping illegal foreign contributions in American elections. I am sure a matter of great importance to all Americans, on a bill that should attract a very high vote count in this body.

In addition to that, we will look at the opportunity that has been made available to us to vote, through the Paycheck Protection Act, to protect the paychecks of every working man and woman in this country from mandatory use of their revenues, their incomes, by unions for political purposes without their consent and permission. I believe that too would be a very important vote, desirable by most of us.

And then finally, the Campaign Reporting and Disclosure Act will be considered, an opportunity for all of us to see to it that all of America knows promptly and thoroughly and completely who receives what campaign contributions from which sources and how those campaign funds are used as the day-by-day operations of the campaign go on.

I believe these represent opportunities for every American to have a greater confidence in the honesty and integrity of our American elections, and I am sure that all Members will look forward to the opportunity to vote on them.

Mr. FAZIO of California. I am happy to yield further to the gentleman from Connecticut (Mr. SHAYS), and I would hope that he would inquire as to whether or not we are going to have a vote on Shays-Meehan, because I could not tell.

Mr. SHAYS. I intend to, but I thank the gentleman, and I thank the gentleman for yielding. I am trying to understand that we began this session last year, we waited all year long for a debate on campaign finance reform, at the end of that year of our legislative session, we asked the leadership if and when we would be having a debate on campaign finance reform. Our leadership, my leadership, said we would have a fair and open debate in February or March, and I am interested to know if this meets the leadership's definition of a fair and open debate on campaign finance reform.

Mr. FAZIO of California. I am happy to yield further to the gentleman from Texas.

Mr. ARMEY. I thank the gentleman from California for yielding me the time, and I appreciate so much the ongoing interest of the gentleman from Connecticut.

As the gentleman knows, we have worked diligently on this whole issue in committee and in leadership, and with a great deal of commitment and conviction to the purposes at hand, that of securing honest elections, with

great integrity on behalf of the American people.

We believe that we are bringing to the floor next week, under suspension, all opportunities of merit that could not be available to the American people to provide them that assurance, and we are very excited and proud for the opportunity for all of our Members to have the opportunity to express their commitment to that by a yes vote.

Mr. FAZIO of California. I am happy to yield further to the gentleman from Connecticut.

Mr. SHAYS. Will you tell me who has decided that we brought all bills of merit? Who has made that decision?

Mr. ARMEY. If the gentleman will yield, again I appreciate the gentleman from Connecticut. This has been a decision that has been made through the entire leadership team in consultation with the committee of jurisdiction, and I appreciate my colleague's interest.

Mr. FAZIO of California. I am happy to yield to the gentleman from Connecticut.

Mr. SHAYS. Were any Democrats consulted on whether there would be bills that they think deserve debate and discussion? Was anyone on the other side of the aisle considered before the leadership made the determination to come out with these bills?

Mr. FAZIO of California. I am happy to yield.

Mr. ARMEY. I appreciate the gentleman from California yielding to my good friend and colleague from Connecticut. I should, of course, feel reassured, and as it should be, we have bipartisan activity in the committee of jurisdiction, and we are very proud of the work that the committee reported out.

Mr. FAZIO of California. I am happy to yield further to the gentleman.

Mr. SHAYS. Mr. Leader, I asked a sincere question, and I would appreciate a sincere answer. And the question was: Was anyone in leadership on the other side of the aisle consulted before it was decided to bring out four Republican bills?

Mr. ARMEY. If the gentleman will yield, I thank the gentleman for yielding, and again I appreciate the gentleman from Connecticut for his interest, and the answer is no.

Mr. FAZIO of California. I am happy to yield further.

□ 1430

Mr. SHAYS. Then, Mr. Leader, how can that be a fair and open debate if we have not allowed people with differing views to present their bills and to make their arguments before this Chamber? How does that meet the requirement of my leadership, who I like to believe is telling the truth.

Mr. FAZIO of California. Mr. Speaker, I am happy to yield to the gentleman from Texas (Mr. ARMEY) for response.

Mr. ARMEY. Mr. Speaker, under these circumstances, I appreciate the extraordinary generosity of time of the gentleman from California.

Mr. FAZIO of California. Mr. Speaker, it is reminding me of a tennis match. The ball is in your court.

Mr. ARMEY. Mr. Speaker, to my friend, the gentleman from Connecticut (Mr. SHAYS), let me just say, we are perfectly prepared to continue any further consideration of this subject as the year passes by. But certainly we feel we have identified, through the efforts of the committee on a bipartisan working basis, the key crucial issues that are under concern before the American people. We are very excited about the opportunity we have afforded the body to vote on these next Monday, March 31.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for giving me the opportunity to ask just one or two more questions. I would like to know if our leadership has made a determination to bring up the McCain-Feingold bill that was voted on in the Senate; and if so, when they intend to bring that up for a vote.

Mr. FAZIO of California. Mr. Speaker, I would be happy to yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding, and I appreciate again the interest of the gentleman from Connecticut. And these are the decisions that have been made with respect to what will be brought to the floor next week.

Mr. FAZIO of California. Mr. Speaker, I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Speaker, has the leadership made any determination on whether or not they are going to bring McCain-Feingold to the floor of the House?

The SPEAKER pro tempore (Mr. HOBSON). The Chair will remind the gentleman from California that the customary extended 1 minute has expired, and the Chair believes that Members have explored this at some length.

Does the majority leader have any unanimous consents that he wishes to continue with?

Mr. SHAYS. Mr. Speaker, has the Chair made a ruling that I may not continue?

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Does the majority leader have unanimous consents that he wishes to continue with?

Mr. ARMEY. Mr. Speaker, point of clarification: If the Speaker is asking if the majority leader would be willing to ask unanimous consent to continue, the answer is no.

Mr. HOYER. Mr. Speaker, may I ask unanimous consent to speak out of order?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?



Mr. CASTLE. Mr. Speaker, I object. The SPEAKER pro tempore. Objection is heard.

The gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Speaker, has objection been heard?

The SPEAKER pro tempore. Objection was heard by the gentleman from Delaware (Mr. CASTLE).

#### PARLIAMENTARY INQUIRIES

Mr. HOYER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, obviously I have not had an opportunity to review the precedents, but I have been here for many years, and rarely, if ever, have I seen a Speaker determined that the unanimous consent for 1 minute, while the schedule was being discussed, and the substance of that schedule being discussed—

Mr. BURTON of Indiana. Mr. Speaker, this is not a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, my question is, under what precedents or practices does the Speaker make such a ruling, and on what does the Speaker rely in terms of what a reasonable time for such inquiry is?

The SPEAKER pro tempore. The Chair was trying to have a reasonable time of recognition. The Chair granted an unusually long period of time for discussion. The calendar was no longer really under discussion. The Chair has ruled. The House has important business to move on to.

Mr. BURTON of Indiana. Mr. Speaker, parliamentary inquiry before we go to that.

We have on the schedule a number of 5-minute special orders and 1-hour special orders, and I just wonder, do the 1-minutes that are now being requested take precedence over that?

The SPEAKER pro tempore. As is customary the Chair intends to recognize 1-minute first.

Mr. BURTON of Indiana. Thank you, Mr. Speaker.

#### ALLOWING SECRETARY OF THE TREASURY GREATER DISCRETION WITH REGARD TO INSCRIPTIONS

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services be discharged from further consideration of the bill, (H.R. 3301) to amend chapter 51 of title 31, United States Code, to allow the Secretary of the Treasury greater discretion with regard to the placement of the required inscriptions on quarter dollars issued under the 50 States Commemorative

Coin Program, and ask its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

Mr. WEYGAND. Mr. Speaker, reserving the right to object, I do so for the purpose of an explanation from the sponsor of the bill and a description of the bill.

Mr. CASTLE. Mr. Speaker, will the gentleman yield?

Mr. WEYGAND. I yield to the gentleman from Delaware.

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Rhode Island for yielding. This will be very brief.

At the request of the administration, this bill was introduced to authorize the Secretary of the Treasury and the Mint to move statutory wording on the State quarters from one place to another as required by design considerations.

You will recall, we are going to have 50 State quarter bills in the next 10 years. No statutory wording such as "In God we trust" will be removed from the coins or any other statutory wording that is on the coins now. The bill simply grants more freedom for individual States that propose designs of their own choice.

It is a noncontroversial, technical bill that has been discussed with the minority. You have no objection. It complements the 50 States Commemorative Coin Program Act of 1997 that was passed and signed into law last year.

Mr. WEYGAND. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3301

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5112(d)(1) of title 31, United States Code, is amended by adding at the end the following new subparagraph:*

"(C) FLEXIBILITY WITH REGARD TO PLACEMENT OF INSCRIPTIONS.—Notwithstanding subsection (d)(1), the Secretary may select a design for quarter dollars issued during the 10-year period referred to in subparagraph (A) in which—

"(i) the inscription described in the 2d sentence of subsection (d)(1) appears on the reverse side of any such quarter dollars; and

"(ii) any inscription described in the 3d sentence of subsection (d)(1) or the designation of the value of the coin appears on the obverse side of any such quarter dollars."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PARLIAMENTARY INQUIRY

Mr. FARR of California. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FARR of California. Mr. Speaker, I am inquiring regarding the Suspension Calendar. It is my understanding, Mr. Speaker, the Suspension Calendar requires a two-thirds vote; is that correct?

The SPEAKER pro tempore. The gentleman is correct for passage of measures under suspension of the rules.

Mr. FARR of California. Mr. Speaker, is my understanding that the Suspension Calendar is done usually on a travel day when most of the Members are in the process of getting to Congress, and that is why the vote is not scheduled until 6 o'clock? Is that correct?

The SPEAKER pro tempore. That is not a parliamentary inquiry. That is a matter of scheduling.

Mr. FARR of California. Mr. Speaker, is it my understanding that under suspension—

The SPEAKER pro tempore. Is the gentleman stating another parliamentary inquiry?

Mr. FARR of California. Yes, Mr. Speaker, the parliamentary inquiry is that the debate is limited to 20 minutes?

The SPEAKER pro tempore. That is the Chair's understanding, 20 minutes on each side.

Mr. FARR of California. Mr. Speaker, and it is my understanding that this is—

The SPEAKER pro tempore. Is the gentleman stating another parliamentary inquiry?

Mr. FARR of California. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. FARR of California. Mr. Speaker, is this how the House normally debates substantive legislation?

The SPEAKER pro tempore. Under the standing rules of the House, at the Speaker's discretion motions to suspend the rules are in order on Mondays and Tuesdays.

Mr. FARR of California. Thank you, Mr. Speaker.

#### MEMBERS SHOULD SIGN CAMPAIGN FINANCE DISCHARGE PETITION

(Mr. STENHOLM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STENHOLM. Mr. Speaker, with regard to the last discussion regarding the schedule for Monday and the question of whether or not we should have a true discussion of campaign finance reform, let me remind all of my colleagues that we have a discharge petition at the Clerk's desk. It has 187 signatures on it.

If we can get to 218 Members of the House who wish to see campaign finance reform, all ideas, the Shays-Meehan and all other ideas of serious debate on campaign finance reform, all we have to do is line up here at the Clerk's desk and get 218 signatures, and the regular order of the House will prevail, and we will be able to have the kind of discussion for campaign finance reform that I believe the overwhelming majority of Members on both sides of the aisle really would like to see.

But it is up to us now. Since the leadership has ruled, rather arbitrarily, on how we shall proceed, it is up to Members of the House to use regular House order and sign the discharge petition.

#### CAMPAIGN FINANCE REFORM

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, in a Congress that has been full of outrageousness, what we have seen here this afternoon represents by far the greatest outrage of all.

To imagine that the Republican leadership, as announced by the majority leader, could get together in a secret meeting and plot to deny the American people an opportunity to have a bipartisan discussion and debate about how to clean up our corrupt campaign finance system is incredible.

The majority leader has placed this matter on the docket for action on a day that many Members of this body will be at the funeral of a distinguished statesman, a Republican colleague, the late Honorable Steve Schiff in Albuquerque.

Unfortunately, on Monday, it will not only be Mr. Schiff who is buried, but campaign finance, an incredible action in which Members are denied any opportunity to offer an amendment, any opportunity to debate beyond 20 minutes per side, and in which, if after all those contortions to defeat campaign finance, if that is not enough, if only a simple majority of this body should vote for campaign finance reform, it would be defeated because they demand a two-thirds vote. A disgrace has occurred here today.

#### CAMPAIGN FINANCE REFORM

(Mr. BURTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, I was going to take a 5-minute special order, but because of all the tactics that have been employed today, I will not have that time to get into the details.

I would just like to say that the outrage that has been expressed regarding the campaign finance reform bill

should also include the dilatory tactics employed by the White House in keeping the Independent Counsel from getting information that is necessary to conclude his investigation into illegal campaign finances and into the allegations that took place down at the White House regarding Ms. Lewinsky.

Now the White House is claiming executive privilege to drag this investigation out and drag it out and drag it out and keep Mr. Starr from getting to the bottom of it. They have done this on four separate occasions here in the House of Representatives by claiming executive privilege. It did not work. They have done it three times in the courts, and it did not work. It will not work this time.

But the White House continues to drag it out and drag it out. And the President continues to take these trips abroad to try to take attention away from this scandal that is taking place. It will not work.

But the President should make a clean breast of this and stop this from going on and on and on as he has over the past several months. He should not claim executive privilege. It has not worked in the past, and it will not work now.

#### PARLIAMENTARY INQUIRY

Mrs. CAPPS. Mr. Speaker, as the newest Member of Congress, I have a parliamentary inquiry.

I am very interested in campaign finance reform, and I wish to know how to sign the discharge petition which will bring this discussion to the floor.

The SPEAKER pro tempore. The petition resides with the Journal Clerk at the desk.

Mrs. CAPPS. I thank the Speaker. May I sign it now?

The SPEAKER pro tempore. Yes.

#### CAMPAIGN FINANCE REFORM

(Mr. MEEHAN asked and was given permission to address the House for 1 minute and to revise and extend his.

Mr. MEEHAN. Mr. Speaker, I cannot believe what we have just heard from the other side of the aisle here, the substance of which was pathetic. Can you imagine trying some way, somehow to excuse the outrageous behavior of the Republican leadership on the floor of the House of Representatives right now?

Every major newspaper in the country was outraged at the fact that they had a rigged rule. If that was not bad enough to have a rigged rule, they took that off, because the McCain-Feingold-Shays-Meehan bill was about to pass this House. Now they are going to bring up the campaign financial reform suspension, unprecedented, that requires a two-thirds vote before anything could pass.

The leaders of campaign finance reform in this institution are outraged.

The American people get what is going on. It is an outrage that this leadership is going to, after promising campaign finance reform, is going to bring this up when one of our Members is being buried and other Members want to be out at the service.

I cannot believe the total disregard to the public interest that we have seen here this afternoon, an absolute outrage. I have never seen it this bad before. The American people see what is going on here, and it is a disgrace.

□ 1445

#### SHAMEFUL LEADERSHIP PLAGUES HOUSE OF REPRESENTATIVES

(Mr. WEYGAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEYGAND. Mr. Speaker, I am a member of the freshman class, a freshman class that came in here on the role of amending our campaign finance laws to make it better for all citizens to participate in this Congress. It was a bipartisan commission of freshmen, freshmen Republicans and Democrats, who crafted a bill, who worked hard all last year and this year.

So what does the Republican leadership do here today? It says, to heck with all that you have done, to heck with the people of America, do not consider what is a bipartisan, good-faith effort to revise our laws with regard to an open government. We are going to close it down. We are going to take what we have done in a smoke-filled back room and put it before you and try to jam it down the throats of America. That is what the Republican leadership has said here today.

We should be ashamed of what they have done, we should be ashamed of the leadership that they have shown America, and we should vote down anything they present to us next week; and I ask my fellow colleagues, particularly the freshmen, to oppose what they are doing to us next week and oppose what they are doing to America.

#### REPUBLICANS CANNOT STAND OPEN DEBATE ON CAMPAIGN FINANCE REFORM

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, after 15 months, after 15 months and campaign scandals across this country, the best the Republican leadership can come up with is to give Members in the House of Representatives 20 minutes of debate on hand-picked, hand-selected pieces of the campaign finance reform issue.

It is an insult to the American people, it is an insult to the membership



of this House, it is an insult to the constituents that we represent, because we tell them that we can come here and debate the great issues that confront this country, but NEWT GINGRICH and the Republicans have decided they cannot stand an open debate on campaign finance reform. They cannot stand a little bit of sunshine on an issue that plagues our democratic institutions, scandals that are across this country, scandals that beset every officeholder in this country, but we cannot debate it in front of the American people.

While Members are away at a funeral, they are going to debate it and then vote later that night. It is an insult. It is no wonder, 20 minutes after 15 months, 20 minutes. That is the best that Speaker GINGRICH can come up with. What a fraud, what a deception. No wonder we are adjourning on April Fools Day.

No wonder we are adjourning, because the fools are going home without doing campaign finance reform.

#### REPUBLICANS SHOULD RECONSIDER SHAMEFUL TACTICS

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I serve on the Committee on House Oversight. It was said that this legislation was brought to the committee. Let me disabuse any of my colleagues on the theory that this got any kind of thoughtful consideration in committee. It certainly will not receive any thoughtful consideration on the floor under the procedures that have been devised by the majority.

A bill was noticed to the members of the committee less than 24 hours before we marked it up in committee. We met, we offered some substantive amendments; they were rejected on a straight party line vote, and without further discussion, this bill was adopted. It was supposed to come to the floor this Thursday.

We thought it was going to come to the floor with a motion to recommit so we could have offered McCain-Feingold. However, the Republican majority was even afraid of that procedure, limited though it was, so they have now devised a procedure which will allow not one single suggestion other than that which has been written in the back room by the Republican majority.

What a travesty. Not only will we not get campaign finance reform, but we will have a procedure that will further denigrate the democratic process that this House likes to pride itself on.

Mr. Speaker, I would hope that cooler, more rational heads would prevail, and that the Republican majority would reconsider this shameful process that they are foisting on the American public.

#### OUR DEMOCRACY IS DYING

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, our democracy is dying under a flood of special interest campaign dollars, and it is a problem on both sides of the aisle, I admit that, and it needs to change. But the Republican leaders today, instead of tossing the American people and our democracy a life preserver with real campaign finance reform, tossed out a big lead sinker.

The debate on Monday will require a two-thirds vote to pass any tiny part of what they have deemed to be campaign finance reform, which does not even go to the heart of the issue, the soft money to the so-called "issue ads," and why is that? Because apparently, for now, according to the New York Times, there is a majority in the House to pass an overhaul bill that would ban political parties from taking unregulated money known as "soft money" and would also curb issue ads by outside groups. It is fiercely opposed by the Republican leaders whose party generally has a fund-raising advantage.

Fiercely opposed, they did more than fiercely oppose it; they gutted democracy here today on the floor with this travesty. That will be nothing but a travesty of a debate on Monday.

It is disgusting, the worst thing I have seen in 11½ years in this House of Representatives.

#### REPUBLICAN TACTICS ARE A SHAM

(Mr. FARR of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I rise today to show my shock at this House's procedure in bringing up campaign finance reform.

Let us recall a little bit of history. When the Democrats were in control of this House, we passed out campaign finance reform in every session. The bill was vetoed by President Bush, the bill that we passed out was filibustered by the Republican Senate, and now, when the President of the United States comes to this hall and asks the Republican leadership to give a campaign finance reform bill to him, last year and they failed, they have now scheduled it the same day that they are sending half the House to New Mexico for a funeral, they are limiting debate to 20 minutes, and they are requiring a two-thirds vote.

Now, if we do not need some reform of the reform, then we are crazy. This is a sham, and the American public will know it is a sham and demand campaign finance reform in a true fashion, such as the Democratic bill or the Shays-Meehan bill, be voted on in this House with a good, solid debate.

#### ORDINARY CITIZENS NEED A FAIR CHANCE TO GET ELECTED

(Mr. ABERCROMBIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Speaker, I was first elected to the State house of representatives in the State of Hawaii in 1974, when we had campaign expenditure limitations. I found myself in a contest with very wealthy people and a high-ranking bank official; I had to depend upon the goodwill of many of the young people who supported me. We did grass-roots efforts.

I would like to have the opportunity for any citizen to be able to run for office, as I did, and have an opportunity to be elected. That is why it is so important for us to take up these various forms of campaign finance reform. I do not pretend to have the final answer, and I do not think that the final answer necessarily exists in all of these bills, but surely we deserve the opportunity to vote on it.

In this particular instance where campaign finance reform is concerned, we have seen over and over again the press saying that the Congress failed to do it, or the House failed to do it. In this instance, I hope it will be noted by the public and by the press that takes this information to the public that it is Mr. GINGRICH and the Republican leadership which is thwarting the opportunity for us to be able to vote on campaign finance reform.

Please give us that opportunity. Let the ordinary, average citizen have a chance again in this democracy.

#### TIME TO KEEP THE PROMISES

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, next week we have got time for some things to do on this floor. For months we have had floating around here a bill called H.R. 10 that deals with modernization of financial services and, lo and behold, next week, in that week when we do not have time to deal with campaign finance reform, we have this 400- or 500-page bill, and we have the time, thanks to the House leadership.

A full-page ad in the paper today to deal with the problems of American insurance, the Council of Insurance Agents, the investment bankers, J.P. Morgan, we have time for that next week; but what about trying to reform the process around here in which we can get a people's bill on the agenda like campaign reform? That is what is important. But this bill has a priority over that, Mr. Speaker, and I think it ought not to have that priority. I think we ought to get our act together and do it right.

This can wait. This does not have to be jammed down our throats next

week. What we need to do is deal with the campaign reform problem. It is 15 months past due. It is time to face up to this and meet the promises and commitments that were made around here last week.

#### PARLIAMENTARY INQUIRY

Mr. MILLER of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. HOBSON). The gentleman will state it.

Mr. MILLER of California. Mr. Speaker, if the debate is held on campaign finance reform during the day, is the House going in at 12:00, first of all?

The SPEAKER pro tempore. That order has not yet been set.

Mr. MILLER of California. Mr. Speaker, if the debate is held during the afternoon, are procedural votes in order during the debate, before and after the suspensions?

The SPEAKER pro tempore. The ordinary rules of the House will apply.

Mr. MILLER of California. Mr. Speaker, a further parliamentary inquiry. Would a motion to adjourn be in order?

The SPEAKER pro tempore. Yes, during the legislative session.

Mr. MILLER of California. Mr. Speaker, would a quorum call be in order?

The SPEAKER pro tempore. No, not by way of a point of order. Where a question has not been put to a vote.

Mr. MILLER of California. Mr. Speaker, it would not be in order, so a motion to adjourn would, at a minimum, be in order.

The SPEAKER pro tempore. That is the Chair's understanding.

Mr. MILLER of California. I thank the Speaker. I would just say that the cloakrooms ought to inform Members that if campaign finance reform is brought up, they should expect procedural votes on Monday.

#### DEMOCRACY DENIED IN HOUSE OF REPRESENTATIVES

(Mr. TURNER asked and was given permission to address the House for 1 minute.)

Mr. TURNER. Mr. Speaker, the effort in the House of Representatives to reform campaign finance laws in this country has died today without a single word of debate being spoken. It died by a procedural move on the part of the Republican leadership to place this very critical issue on a suspension calendar, a calendar normally reserved for bills that are not of great controversy, that require two-thirds vote for passage, bills that normally would be heard in an uncontested manner. Yet, the most important issue of campaign finance reform was placed on that calendar for this next Monday before the House of Representatives.

It is a tragedy that with hundreds of thousands of hours of effort being put in in the last 15 months in this Congress to study the abuses of campaign finance, committee hearings that have taken place in the committee I serve on, the Committee on Government Reform and Oversight, hearings in the Committee on House Oversight, and the pledge by the Republican leadership to allow this House to have an open and bipartisan debate, that has been denied by a procedural move that will not allow this House to completely debate that bill.

#### MCCAIN-FEINGOLD CAMPAIGN FINANCE REFORM BILL A DISASTER FOR AMERICA

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute.)

Mr. DOOLITTLE. Mr. Speaker, I would like to praise the House leadership unabashedly for making the decision they did and allowing this to go before the House on a suspension calendar. I wholeheartedly endorse that decision. All of this folderol about the McCain-Feingold bill, it is a disastrous concept. It would hurt America. It would destroy our constitutional right to free speech.

I hear such moral indignation from the other side, but when we see the myriad of campaign abuses written about, engaged in by one branch of government in particular, everything is so muted.

I would submit, Mr. Speaker, that we have not properly diagnosed what the problem is in our campaign system. It is severely flawed, and we need to correct it, but rushing out here with a bill that everybody is afraid not to support, although I am happy not to support it, and many others, more than some might think, would be happy not to support it, I think we would be premature in bringing it up in that fashion.

This needs to be thoroughly discussed. The procedure of the leadership, as adopted by the supermajority, is entirely appropriate because the subject of this bill would hurt our constitutional rights.

□ 1500

#### GENERAL LEAVE

Mr. LEWIS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2515.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### ADJOURNMENT TO MONDAY, MARCH 30, 1998

Mr. LEWIS of Kentucky. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. LEWIS of Kentucky. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### THE 65TH ANNIVERSARY OF THE FARM CREDIT ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. STENHOLM) is recognized for 5 minutes.

Mr. STENHOLM. Mr. Speaker, I would like to take this opportunity to remind our colleagues that today, March 27, marks the 65th anniversary of the creation of the Farm Credit Administration by the executive order of President Franklin Delano Roosevelt.

The FCA is the independent arm's length reporting of the \$78 billion Farm Credit System. It provides credit and financial services to this country's farmers, ranchers, and agricultural cooperatives.

The FCA is charged with a highly challenging mission: to promote a safe and sound, competitive Farm Credit System by creating an environment that enables System institutions to serve rural America as a dependable source of credit and financial services within the authorities established by Congress.

The FCA is ably led by a distinguished three-person board chaired by the Honorable Marsha Pyle Martin, who hails from the great State of Texas. In addition to her significant roots, Ms. Martin is the first woman chair of the FCA board and, together with fellow board members Doyle Cook and Ann Jorgensen, directs the regulatory activities of a small cadre of highly qualified professionals.



While the FCA is a small agency with only 300 personnel nationwide, it is an impressive group of dedicated professionals, possessing insightful knowledge about how to ensure that sound financial institutions thrive to better serve agriculture. It is an agency with a rich history of profound service to agriculture, and is one of the surviving entities of FDR's New Deal.

I would like to share a brief bit of FCA history with the Members today, because I believe it demonstrates how well government can work, and points clearly to the importance of those institutions which will maintain our Nation's position as the world leader in agriculture as we move forward into the next millennium.

Shortly after President Roosevelt was inaugurated in 1933, he issued an executive order that established the FCA as an independent credit agency and consolidated under it all the fragmented programs previously created to improve the availability and deliverability of agricultural credit.

The 1930s were not a good time for agriculture. Farm prices had hit an all-time low and hundreds of thousands of farmers were finding it impossible to produce enough income to pay their debts. One of the FCA's first major responsibilities was to implement the Emergency Farm Mortgage Act of 1933, designed to halt the wave of farm foreclosures by refinancing farmers' debt.

Through radio broadcasts, President Roosevelt told farmers to write or wire Washington if their farms were threatened by foreclosure. The response was an avalanche of wires, letters, and phone calls, totaling 43,000 in less than 4 months. The newly formed Farm Credit Administration moved vigorously to intercede with creditors, asking them to wait long enough to see if farms could be refinanced. Most of the farms were refinanced, and the FCA's history of dedicated service to agriculture had begun.

More recently, the FCA was instrumental in helping the Farm Credit System and its borrowers survive the severe disruption of agriculture that occurred during the 1980s. Like the 1930s, the 1980s were not a good time for agriculture. I think we all remember when land values spiralled downward and the devastating impact on the many farmers and financial institutions that financed the legitimate credit needs of those farmers.

The FCA was there again, but in a different role, this time as the independent regulator of the Farm Credit System. In this new role the FCA ensured that farmers who had been devastated by economic circumstances were afforded the opportunity to restructure their loans, thereby enabling them to remain in farming.

The FCA also ensured that cooperative financial institutions took proper management action to financially

strengthen their operations so they could remain as a viable source of credit to their farmer borrowers. Though the FCA role had changed over time, the outcome of fulfilling their role remained the same, and the needs of individual farmers were met.

Moving to the present, the FCA has become one of the more stellar performers to emerge from implementing the Administration's program to reinvent government. The FCA has reduced its expenses by nearly 15 percent since 1995, and has slashed its work force by nearly 30 percent since 1993. The agency is almost 25 percent below Office of Management and Budget's established personnel target for the FCA under the Administration's program to reinvent government.

The agency is at the forefront of developing increasingly efficient and innovative programs that not only ensure that the safety and soundness requirements are adhered to by the Farm Credit System, but also result in minimal disruption to the vital business activities of the institution it regulates.

The Farm Credit System today is financially sound, and stands on the threshold of making innovative progress at better meeting the credit and financial needs of farmers and ranchers and their cooperatives. The FCA has played a key role in the system's success, and is there to ensure that these institutions exercise safe and sound banking practices that comply with the law and regulations, as new endeavors take form. Over time, farmers, ranchers, cooperatives, and the public have all benefited from the professional activities of the FCA.

Mr. Speaker, the FCA record reflects a deep commitment to agriculture. It is a record of exceptional performance from 1993 to the present. I am proud to recognize it here today.

#### REFORMS NEEDED IN THE AGRICULTURAL COMMUNITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, nearly 2 years ago Congress approved landmark legislation giving farmers the freedom to farm. Supply management and command control agricultural policy had failed our farmers. The safety net that was intended was acting more like a ceiling, so farmers, locked arm in arm with consumers and taxpayers, changed the course of agriculture policy in this country.

Today, instead of talking about expanding the acreage reduction program and conceding critical world market share, farmers are now asking Washington for fast track. Today farmers are talking about the need to keep a lid on their out-of-pocket expenses, especially those imposed by Uncle Sam by way of taxes and regulations.

In short, our farmers do not want to depend on the government to merely survive. Rather, our farmers want the tools and the global markets necessary to actually succeed. Improved research and the development of more effective risk management tools, such as crop revenue coverage, are good examples.

Unfortunately, the progress I have just described does not characterize Federal dairy policy, where regional divisions have prevented any kind of meaningful reform. Instead, price-fixing, whether by regional compact, cartels, bogus price floors, or an irrational order system, is still fashionable.

I think it is ironic that this Congress, which never misses a chance to champion market-oriented reform, growth, and opportunity, still clings to a dairy policy that has fallen out of fashion, even in Moscow. When I see so many folks championing the status quo, I wonder if I have missed something.

Since 1985, my home State of Minnesota has lost more than half of our dairy farmers, over 11,000. That is a rate of three per day. Nationally the U.S. has lost over 152,000 dairy producers under the very system which today so many are attempting to save.

I hope when all the dust settles, we will put aside our regional bickering, abandon the failed policies of supply management and command control economics, and embark on a new path. We should not be striving for a policy that simply slows down the hemorrhaging, but we should work for a policy that puts our dairy farmers on the road to recovery.

We can start by creating a more market-oriented order system, rejecting harmful regional compacts and price floors, implementing a dairy options pilot program that can eventually become national in scope, authorizing forward pricing to shift risk away from the producers, and by developing a kind of market-oriented insurance program which farmers, taxpayers, and consumers can all support.

On this note, I seriously doubt that anyone in Congress would ever deny our grain farmers the right to forward contract to protect against price volatility. Yet, we do exactly that to our dairy farmers. It is bad policy, and we have the power to stop it.

Tax and regulatory relief, better research and risk management tools, and expanded global markets for U.S. agricultural products offer our Nation's dairy farmers real opportunity, but price floors and supply management only offer a frustrating ceiling thinly disguised as a safety net. The difference is as stark as saving and investing for your retirement, or relying on Social Security to bring about the good life.

Mr. Speaker, when the Kremlin collapsed, a newspaper editorial commented that "Markets are more powerful than armies." Because history has

demonstrated this time and again, I am convinced that fluid milk will be sold according to the dictates of supply and demand. If Members do not believe me, just look at the editorials in the Washington Post, the New York Times, and the Wall Street Journal. It is only a matter of time.

The question before us today is, will we in the agricultural community accomplish reform on our own terms and at our own pace, or will change be forced down our throats after we have surrendered yet more farmers and more potential markets? The choice, Mr. Speaker, is ours to make.

#### CAMPAIGN FINANCING AND THE NEED FOR REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, over the last 15 months many, many Members of the House of Representatives and Members of the Senate, on a bipartisan basis, have worked to try and see whether or not we could reform the campaign finance system in this country.

The gentleman from Connecticut (Mr. SHAYS) worked very hard on the Republican side, the gentleman from Massachusetts (Mr. MEEHAN) on the Democratic side, the gentleman from California (Mr. FARR) on the Democratic side, and many, many others, to see whether or not we could present a system of campaign finance to the American public that would start to restore their faith in how we elect people in this country; that the race just does not go to the person with the most money, that the race just does not go to the person with the most special interest money, that the decisions are not made here based on campaign contributions and who gave money to whom. If you give \$10,000, you get more say than somebody who gave \$1,000, and more than somebody who gave you \$5; and try to see if we could return this system, that has become awash in money, that has distorted the basic decision-making process in the House of Representatives and in the United States Senate and in the administration.

Our basic democratic institutions are threatened by the vast amount of money that is now finding its way into campaigns. It comes in straight-up contributions to individual Members, it comes from Political Action Committees, it comes from soft money, it comes from independent expenditures.

We are having a primary in California. The primary is in June. This is only the end of March. Three candidates have already reported almost \$25 million being spent for the Governor's race. One candidate has reported \$18 million being spent.

□ 1515

Pretty soon, this will be a hobby for rich people, or this will be a place where only those who have the money of the special interests will come to work, and the people will take second best.

Mr. Speaker, we all know, those of us who serve here, those of us who go through campaigns, we all know that the influence of money is getting more and more pervasive in every decision made in the Congress of the United States; that it is distorting the decision-making process; that it is corroding the underpinnings of the democratic institutions. And we cannot allow it to continue.

But what did we find out today? After many, many disruptions last year in the House of Representatives to try to get the Republican leadership to give us a vote, to give us a fair and open debate on competing plans, to debate this subject in front of the American public, what did we find today? That Speaker GINGRICH has decided that we will get 20 minutes on each side of an issue to decide campaign finance reform.

Mr. Speaker, we just spent 5½ hours here debating a bill of no urgency, a bill that was eventually defeated. We could have debated it all day today. We could have debated it in the weeks where the Congress has only worked 1 and 2 and 3 days a week. We get paid for 5 days a week, we get paid for 7 days a week, but most of this year we have been working 2 and 3 days a week. We could have debated campaign finance on any one of those days. But they waited right until we get to the Easter break, and then they said we will give 20 minutes.

Why did they give us 20 minutes and why did they hand-pick the bill that we would vote on? Because they know that that bill does not have enough support to pass. They know there is in this House a bipartisan bill that will reform this system, that will pass, and they will not let us vote on that. Twenty minutes or no 20 minutes. They are cooking the books, they are rigging the game, they are tilting the field, all against reform.

Even those huge majorities in this country want the current system of finance, of campaign finances reformed and changed and made more democratic. But the Republican leadership does not even want to let us debate the bill. They do not want to let us amend the bill. They do not want to let us change the bill. They want to put a bill out here that they know will not pass, and force us to kill it, and then they can blame Democrats or Republicans or liberals and conservatives and say, "They killed campaign finance reform."

No, Mr. Speaker; NEWT GINGRICH, the Speaker of the House who sets the agenda, who sets the calendar, he

killed campaign finance reform because he was afraid of the debate. He pledges allegiance to the flag every day. He talks about democracy. And he is afraid of the debate in front of the American people.

Mr. Speaker, how cynical can one become when they cannot trust the American people and cannot trust their representatives, so they have to schedule the debate so they can get an outcome that a majority of the House does not want? It is a terrible, terrible day for democracy and it is a terrible day for our democratic institutions, and it is a terrible day for the American voter because the race will continue to go to the people that accept more special interest money and the most money and not the best candidate in the race.

#### CAMPAIGN FINANCE REFORM GIVEN SHORT SHRIFT IN HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, as I listened to this afternoon's disgraceful announcement given to us, I gather, with some glee by the Majority leader, that the American people would be denied any free and fair debate on the issue of campaign finance reform, I could not help but reflect on how this Congress began back in January of 1997.

Mr. Speaker, we assembled here on this floor to begin the people's business. We have come now through the full year of 1997 and well into 1998. It was on that very first day in January of 1997 that we cast a vote on the issue of campaign finance reform and were denied an opportunity to move forward on it in this Congress. And repeatedly, over the course of 1997 and 1998, there have been those of us, both Democrats and Republicans, who have come to this floor asking not to have it exactly our way, the way we would write a campaign finance bill, but to have a free and fair debate of this issue that goes to the core of the problems that surround this institution, the Congress and the Government of the United States and the way that it operates.

Over that time period, we first were told by some that we could accomplish the issue of campaign finance reform in time for our Nation's birthday, on July 4 of last year. That time came and went. I think some looked to that date, because a couple of years earlier Speaker GINGRICH went up to New Hampshire and shook hands and smiled with President Clinton and said that they would move forward on real campaign finance reform. That was in 1995. He delayed for a year and then engaged in the kind of sham maneuver we have seen this afternoon in order to kill campaign finance reform in 1996.



So we came to the fall of last year, after many speeches and many demands for action on campaign finance reform and, lo and behold, the majority leader, the same gentleman from Texas who stood before us today to kill campaign finance reform, he announced that we would have action on campaign finance reform last fall before the Congress recessed. Of course, as we all know, that time went by and no action occurred. No debate on any proposal was permitted.

But we heard, with some degree of incredulity I suppose, as we listened to the discussion on the last day of that session, the Republican leadership assembled upstairs in front of the press and they announced a great task force. They had all of these proposals they were going to put together and they were going to put a Republican fix on the campaign finance reform system and they were going to be ready to debate that when we gathered here in 1998.

Well, now we are in 1998, and we reached the day yesterday when they were going to present their great proposal, and they have since found now that they have presented it, that it is being rejected by the majority of Republicans. And so they have decided to pull down that proposal and to deny us full and fair debate of that, because if we began debating that fully and fairly, we might be able to offer a motion to recommit it to the committee and get some genuine reform of the campaign finance system.

So, Mr. Speaker, on a day when many Members of this Congress will be traveling to New Mexico to honor our distinguished colleague, the late Steve Schiff, at his funeral, on that day they have scheduled the debate in which any of the Members who will be traveling to the funeral will be unable to participate. And should they get back here in time to vote on Monday night, if only a majority of this body votes to approve campaign finance reform, it will be defeated because Speaker GINGRICH and Majority Leader ARMEY and, to hear the gentleman from Texas (Mr. ARMEY) say it, all of the Republican leadership has agreed on one thing: The only way they will permit any Democrat or any Republican to discuss and debate the issue of campaign finance reform is in a contrived procedure designed for one purpose and one purpose only, and that is to ensure that campaign finance is dead and gone for this session, that nothing will happen.

Mr. Speaker, why is this issue, which frankly, as we travel around the country, we do not hear on the tips of the tongues of the ordinary working people of this country, why is it so important? Well, the reason that it is so critical that we have a full debate is that it goes to every other issue that occurs in this Congress. Because increasingly, there are Americans out there who say

that in this Congress we do not decide issues, whatever they might be, in terms of what is good for America. Rather, we decide them principally on the basis of who gave how much to whom and how often they did it.

It is that kind of corrupting influence in our democracy, to the extent it actually occurs, and more importantly perhaps to the extent that that is the way the American people feel about this system and they lose faith and confidence in our democracy because of the role of big money and corrupting this system, that this is so critical.

Perhaps some in America are concerned with our tax system or with Social Security or education or child care. If we are to deal with any of those issues constructively, we have to reform this system, and that is why today's action is so disgraceful.

#### WHO ARE WE REALLY PUNISHING: THE TOBACCO COMPANIES OR PEOPLE WHO CAN LEAST AFFORD THE TAX INCREASE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to remind my colleagues of those Americans who are being pushed aside in our zeal to punish the tobacco companies and curb youth smoking. The rhetoric and demagoguery waged against tobacco gives new meaning to the "politics of fear." If only there was the same commitment to wipe out illegal drugs, violence and illegitimacy, the hypocrisy of this campaign would not be so blatant.

Yes, Mr. Speaker, here we go again. From no new taxes to lining up for pushing to the limits the most regressive tax in America. Mr. Speaker, let me say it once and say it loud and clear: A tax is a tax is a tax.

The Senate Budget Committee resolution to raise tobacco excise taxes by \$1.50 is far from an act of courage and wisdom. Rather, the decision is borne out of fear, expedience, and illusion. This tax is income redistribution at its worst, pure and simple. The very defenders of our poor and middle-class citizens prefer to ignore the ugly truth of the proposed excise tax increase. Instead, they have convinced themselves that they know what is best for Americans. Once again, these Members of Congress will look the other way because they know that already over 50 percent of the Federal cigarette excise tax is paid by American taxpayers who earn less than \$30,000 a year. Even worse, only 7 percent is paid by folks with incomes over \$75,000.

Mr. Speaker, we cannot hide from the burden that this huge tax increase will have on our lower-income families. For someone who smokes a pack of ciga-

rettes a day, our Federal Government will be taking an additional \$550 a year, and this is no small change if someone is making less than \$20,000 a year.

And where is all the money going? For starters, the antitobacco trial lawyers are lining up at the trough, when and if the States ever receive their portion of the new taxes and direct payments from the tobacco companies. But that is not all. We also have the Conrad and Kennedy bills, among others, that are ready to launch a new era of big government with hard-earned dollars from low-income taxpayers.

Even worse, there are some Members who believe we can use this tax increase on smokers and pay for other Americans to enjoy a tax cut.

Mr. Speaker, I will be among the first to support a much-needed tax relief bill. But the excise tax is an income transfer, not a tax break. Who are we really punishing? The tobacco companies? Or people who can least afford the tax increase?

The fact is that this new cost will be passed on to the consumer by the companies, whether it is from a tax or a national settlement. Twenty-five percent of American adults who choose to buy a legal product, albeit one that causes serious health problems, may soon be lining the pockets of trial lawyers and funding new Federal programs that have precious little to do with stopping kids from smoking.

We are told that smokers must be held accountable for the increased medical cost brought on by smoking-related illnesses. There is a myth that smokers impose higher medical costs on society and this justifies the increase in our Federal excise tax. A study published in the New England Journal of Medicine tells us otherwise. The uncomfortable truth is that the lifetime medical costs of smokers are smaller than those of nonsmokers.

No doubt that many of us have encountered the suffering of a friend, a relative or a loved one who has been diagnosed with lung cancer or perhaps emphysema. I believe there are more effective ways, however, that will help us convince young and older Americans alike that smoking does have dire consequences for them, and for themselves and for the people that care for them.

One young man from Murray, Kentucky, said it best during his recent testimony to the House Committee on Commerce. The answer to reducing teen smoking lies with the family, and I quote, "This can be done in the home, not in Washington." His answer is hard to argue with, but I would add that our Federal Government can play a valuable role in supporting this message at home by helping to educate our youth through the media and the classroom.

We have made tremendous progress in this country in reducing the prevalence of smoking, and we can do even

more with realistic constructive policies. Are we going to further punish adults who choose to smoke with higher taxes? Or is it time to embrace an imperfect but comprehensive settlement that, in the words of the Louisville Courier Journal Editorial Board, seeks an opportunity to make smoking more expensive and less attractive, especially to kids?

Congress must find the courage to adopt sensible national tobacco legislation. Ample evidence here at home and around the world shows the folly of taxing cigarettes out of the marketplace. Look no further than to our Canadian neighbors to understand the very real possibility of black market imports of cigarettes that will elude high Federal tax. Despite the fact that Canada doubled its tax on cigarettes in 1983, the increased levy has failed to reduce youth smoking and may have even made it more difficult to control because of smuggling. In our own Nation's history, we need to look no further than the era of prohibition to see how our government can create black market windfalls for criminals.

If we follow the mad rush towards another new tax, we will begin to destroy the livelihood of thousands of small family farms. Yes, we can spend millions of dollars to retrain these farmers, but I assure my colleagues that Congress cannot replace the way of life and culture they have cherished in our State for generations.

Once again, Mr. Speaker, Americans and people throughout the world will continue to smoke for years to come despite all our efforts to tax tobacco to death. I urge my colleagues to seek a solution that strives for prevention and cessation, not the punishment of fifty million Americans and thousands of tobacco farmers and workers.

□ 1530

#### OPPOSING THE MAKAH WHALE HUNT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, recently one of the television networks presented a new production of Herman Melville's *Moby Dick*. As we all know, this is a drama about a whale hunt in the 18th century. In this drama, Melville gives a detailed and gory account of a whale hunt.

Now, two centuries later, whaling has become one of the things that just is not done anymore. Because the world's whaling ships hunted whales almost to extinction 100 years ago, whales occupy a special place in our conscience. Protecting whales has become one of our civilization's most noble undertakings. But the struggling to protect these special animals is not over yet.

I regret that it is in my State, the State of Washington, that an Indian

tribe has announced its intention to hunt whales again. The Makah tribe, backed by the U.S. Government, is preparing to repudiate rulings of the International Whaling Commission and kill four California gray whales each year.

Furthermore, it is evident that the tribe, with the backing of the United States Government, is willing to set a trend which will lead to a resurgence of whaling around the world. And here is the reason: If they are allowed this hunt, 13 bands and tribes of Indians in British Columbia say that they will also begin to hunt whales.

Earlier this month, the Makahs met with other aborigines around the world to talk about whale hunting. They attempted to keep the meeting quiet by staging the meeting in Canada and avoiding the press. They intend to assert a "cultural subsistence" right to hunt whales. But here is the danger.

If a cultural subsistence is recognized, then what do we say to Japan and Norway, two nations that we have for years tried to get them to stop whale hunting but still hunt whales? If anybody has a cultural right to hunt whales, it is Japan and Norway. Whether or not the Makahs are justified in these claims, the real danger in allowing their hunt to go on is the encouragement it will give to others around the world.

Mr. Speaker, this is a slippery slope. Once aborigines around world are whaling again, will that not give encouragement to nations who want to continue commercial whaling?

I have already mentioned Japan and Norway, and they continue to practice commercial whaling in violation of the International Whaling Commission. I have just learned that the Japanese and Norwegians were both represented at the Makah meeting in Canada earlier this month with the other aborigines. It is unimaginable that this killing could start up again on a commercial scale, starting in our State of Washington.

The gory drama in *Moby Dick* cannot be repeated in the 20th century. For the Nation, it will be a horrible spectacle certain to be televised. As the Makahs set out in their canoes, a media event will be created. The tribe's reputation and our Nation's reputation will be sullied as the Makahs pursue and kill their four gray whales. The gray whales swim together, and it is certain that more than four gray whales will be wounded or will die for the four that the tribe will take back to shore. Because they do not kill each whale; they have a lot of misses too and injuries.

But the worst aspects of the Makah whale hunt are the worldwide ramifications, the possible resurgence of commercial whaling. The 18th century killing described in *Moby Dick* will be repeated many times around the world. I

shall continue to oppose the Makah hunt or any other killing of whales.

#### OMISSION FROM THE CONGRESSIONAL RECORD OF WEDNESDAY, MARCH 25, 1998

#### THREATS TO U.S. NATIONAL SECURITY FROM CUBAN DICTATORSHIP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 60 minutes as the designee of the majority leader.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks.)

#### TRIBUTE TO HONORABLE STEVEN SCHIFF

Mr. DIAZ-BALART. Mr. Speaker, the Speaker of the House of Representatives just a few hours ago had the sad duty to report to us the death of one of our colleagues, the gentleman from New Mexico (Mr. SCHIFF). So I would like to begin my remarks this evening expressing my sincere condolences to the Schiff family and letting them know that my prayers go out to them in this very difficult moment.

We will miss in this House STEVE SCHIFF. He was a great man. But I would say that he was really a great man, above all else, because he was a good man. He was a man of extraordinary integrity as well as great intelligence. He possessed a brilliant legal mind that he put to use serving not only this House but our country.

And so, I will certainly miss my friend and colleague STEVE SCHIFF. I will always recall with much affection how, based on the fact that he was of such discipline of mind, he was, for example, teaching himself Spanish and he would enjoy conversing in Spanish; and it was remarkable that just literally months after beginning his Spanish classes he had achieved a great fluency.

Anyway, we will miss, I will certainly miss my friend STEVE SCHIFF.

Mr. Speaker, in just a few days, and I think it is important for the American people to realize it, the Pentagon, the Department of Defense, is scheduled to make public a report, an assessment, of the security risks, the danger to the national security of the United States posed by the Cuban dictatorship just 90 miles from our shores.

A number of us here in Congress have received preliminary reports with regard to that assessment that will be made public in just a few days by the Department of Defense, disturbing reports, because we are of the understanding, we have been led to believe that the Pentagon is about to say that there is, in essence, no threat from the Cuban dictatorship. That is a grave mistake if, in fact, that is the assessment that is made of the threat.



It is a grave mistake and it is really unfortunate. Because the only way in which the conclusion can be reached that there is no threat from the Cuban dictatorship 90 miles from our shores is based on a political decision, an imposition by the White House upon the Department of Defense with regard to the report, its threat assessment, of just a few days.

So if it is the case then, the preliminary reports that we have received, that in effect the Pentagon will say in a few days that there is no threat coming from the Cuban dictatorship, if that is the case, we, those of us in Congress who had received these preliminary reports are of the belief that a political decision is motivating that report.

Just a few days ago, a number of us wrote to the Secretary of Defense and Secretary of State with regard to this very issue. And if I could, I would like, Mr. Speaker, to be able to read this letter:

"Dear Mr. Secretary,

"We are writing to express our concern about the ongoing national security threat from the Cuban dictatorship. Specifically, we are convinced that the Castro dictatorship is a major enemy of our efforts to shield America's frontiers from the drug threats, and we are additionally concerned about Castro's ability to develop biological and chemical weapons. Castro is technically capable of many of the same types of things we know Saddam Hussein is doing, and the Castro dictatorship is the only rogue regime that is 90 miles from our shores.

"We are appalled about current attempts to downplay the Castro threat and are deeply disappointed that the Department of Defense refuses to acknowledge Castro's ongoing threats to the United States. We have received extremely disturbing reports that the Department of Defense plans to officially minimize the threat assessment of Castro's Cuba and that this may be utilized to subsequently remove Castro from the State Department's terrorist list. Despite Cuba's economic situation, Castro remains a dangerous and unstable dictator, with the intentions and the capability to hurt U.S. interests.

"Thirty-five years ago, during the Cuban missile crisis, Castro urged a nuclear first strike by the Soviet Union against the United States. Ten years ago, Cuban General Rafael del Pino disclosed that Cuban combat pilots trained for air strikes against military targets in south Florida. Five years ago a Cuban air force defector in a MiG-29 fighter aircraft, flying undetected until just outside Key West, Florida, confirmed that he had received training to attack the Turkey Point nuclear power facility in south Florida.

Two years ago, Castro ordered Cuban MiG-29 fighter aircraft to attack and

kill unarmed American civilians flying in international air space just miles from the United States.

□ 2100

There is a pathologically unstable tyrant in the final years of his dictatorship just 90 miles from our shores. His four-decade record of brutality, rabid hostility toward the Cuban exile community, anti-Americanism, support for international terrorism, and proximity to the United States is an ominous combination.

When considering the potential threat from Castro, the following must be noted.

Despite the end of the cold war, Castro continues to espouse a hard line, using apocalyptic rhetoric, proclaiming socialism or death, ranting about a final reckoning with the United States, and punishing any Cuban who advocates genuine political or economic reform.

Castro maintains one of Latin America's largest militaries with capabilities completely inconsistent with Cuba's economic reality and security needs.

Despite Cuba's economic failure, Castro has the capability to finance special projects through his network of criminal enterprises and billions of dollars of hard currency reserves he maintains in hidden foreign accounts. Forbes magazine has calculated a minimum of \$1.5 billion that Castro has in such foreign accounts. Castro has a proven capability to penetrate U.S. airspace with military aircraft and to conduct aggressive shootdown operations in international airspace just outside the United States.

Castro is training elite special forces units in Vietnam who are prepared to attack United States military targets during a final confrontation, according to *Janet Defense Weekly*.

Castro actively maintains political and scientific exchanges with each of the countries on the Department of State's list of terrorist nations. Castro continues to provide logistical support for international terrorism and pro-Castro guerrilla groups, and Cuban-trained international terrorists are still active around the world, most ominously these days in Colombia.

Castro continues to coordinate and facilitate the flow of illicit drugs through Cuba into the United States. We will talk more about that later. Castro continues to offer Cuba as a haven for drug smugglers, criminals and international terrorists, including more than 90 felony fugitives wanted by the Department of Justice.

The Lourdes electronic espionage facility is used to spy against U.S. military and economic targets, including the intercept of highly classified Persian Gulf battle plans in 1990-1991. Castro is working with Russia, which recently extended a \$350 million line of

credit for priority installations in Cuba, and anyone else willing to offer assistance to complete the nuclear reactor at Juragua.

Castro has access to all the chemical and biological agents necessary to develop germ and chemical weapons. Despite Cuba's failed economy, Castro has constructed a secretive network of sophisticated biotechnology labs, fully capable of developing chemical and biological weapons. These labs are operated by the Military and Interior Ministry, are highly secure and off-limits to foreigners and visiting scientists. Under the guise of genetic, biological and pharmaceutical research, Castro is developing a serious germ and chemical warfare capability. Castro has the ability to deliver biological and chemical weapons with military aircraft, various unconventional techniques and perhaps even missile systems increasingly available in the international black market.

Tyrants are most dangerous when they are wounded and dying. Given Cuba's proximity to the United States and Castro's proven instability, it would seem to be an unacceptable and potentially tragic mistake to underestimate his capabilities. We request that Castro be kept on the State Department's list of terrorist nations and that a realistic threat assessment be made, which includes an examination of Cuba's biotechnical capabilities, as the Castro dictatorship moves towards its final stage.

This letter was sent by nine Members of Congress just a few days ago as I stated, Mr. Speaker, to the Secretary of State and the Secretary of Defense. The evidence with regard not only to what we mentioned in that letter but specifically with regard to narcotrafficking is extensive. The really sad aspect of this, in addition to the fact that it takes place, is that there is an undeniable pattern on the part of the Clinton administration to cover up and deny every single piece of evidence existing linking Castro and his regime to narcotrafficking into the United States. A number of colleagues and I sent a letter back in November of 1996 to General McCaffrey, the Director of the Office of National Drug Control Policy in the White House. We stated, after some introductory paragraphs, "There is no doubt," we told General McCaffrey, "that the Castro dictatorship allows Cuba to be used as a transshipment point for drugs. We were deeply disappointed when DEA Administrator Tom Constantine testifying before the House International Relations Committee in June said that 'there is no evidence that the government of Cuba is complicit in drug smuggling ventures.' On the contrary, there is no doubt that the Castro dictatorship is in the drug business."

We continue in our letter to General McCaffrey: "Your appearance before

the committee that day was also very disappointing on this critical issue. Castro and his top aides have worked as accomplices for the Colombian drug cartels and Cuba is a key transshipment point. In fact, just this year sources in the Drug Enforcement Agency's Miami field office stated to the media that more than 50 percent of the drug trafficking detected by the U.S. in the Caribbean proceeds from or through Cuba. Since the 1980s, substantial evidence in the public domain has mounted showing that the Castro dictatorship is aggressively involved in narcotrafficking. In 1982, four senior aides to Castro were indicted by a Florida grand jury for drug smuggling into the United States. They were Aldo Santamaria, Fernando Ravelo, Gonzalo Bassols and Rene Rodriguez-Cruz. In 1987 the U.S. Attorney in Miami won convictions of 17 south Florida drug smugglers who used Cuban military bases to smuggle at least 2,000 pounds of Colombian cocaine into Florida with the direct logistical assistance of the Cuban armed forces. Evidence in this case was developed by an undercover government agent who flew a drug-smuggling flight into Cuba with a MiG fighter escort. In 1988, federal law enforcement authorities captured an 8,800-pound load of cocaine imported into the United States through Cuba. In 1989, U.S. authorities captured 1,060 pounds of cocaine sent through Cuba to the United States."

"Prior administrations," we wrote to General McCaffrey, "have correctly identified the Castro regime as an enemy in the interdiction battle. As early as March 1982, Tom Andrews, then Assistant Secretary of State for Inter-American Affairs, stated before the Subcommittee on Security and Terrorism of the Senate Judiciary Committee that 'we now have also detailed and reliable information linking Cuba to trafficking narcotics as well as arms.' On April 30, 1983 James Michel, Deputy Assistant Secretary of State for Inter-American Affairs, testified before the Subcommittee on the Western Hemisphere of the Senate Foreign Relations Committee, his remarks validated prior findings. 'The United States has developed new evidence from a variety of independent sources confirming that Cuban officials have facilitated narcotics trafficking through the Caribbean. They have done so by developing a relationship with key Colombian drug runners who on Cuba's behalf purchased arms and smuggled them to Cuban-backed insurgent groups in Colombia. In return the traffickers received safe passage of ships carrying cocaine, marijuana and methaqualone through Cuban waters to the United States.'"

July 1989. "Ambassador Melvin Levitsky, Assistant Secretary of State for International Narcotics Matters, testified that, 'there is no doubt that

Cuba is a transit point in the illegal drug flow. We have made a major commitment to interdicting this traffic. Although it is difficult to gauge the amount of trafficking that takes place in Cuba, we note a marked increase in reported drug trafficking incidents in Cuban territory during the first half of 1989.'

"We are sure," we continued in our letter to General McCaffrey, "that while in Panama as Commander of the U.S. Southern Command, you (General McCaffrey) became aware of General Noriega's close relationship with Castro and of Castro's intimate relationship with the Colombian drug cartels."

"Because past administrations identified Cuba as a major transshipment point for narcotics traffic, it was integrated into the larger interdiction effort. By contrast, under the existing strategy, no aggressive efforts have been made to cut off this pipeline despite the growing awareness of its existence."

"In April 1993, the Miami Herald reported that the U.S. Attorney for the Southern District of Florida had drafted and prepared an indictment charging the Cuban government as a racketeering enterprise and Cuban Defense Minister Raul Castro as the chief of a 10-year conspiracy to send tons of Colombia cocaine through Cuba to the United States. Fifteen Cuban officials were named as co-conspirators and the Defense and Interior Ministries cited as criminal organizations."

We continued in our letter to General McCaffrey, In the last few months, the prosecution of Jorge Cabrera, a convicted drug dealer, has brought to light additional information regarding narcotrafficking by the Castro dictatorship. Cabrera was convicted of transporting almost 6,000 pounds of cocaine into the United States, sentenced to 19 years in prison, and fined \$1.5 million. Cabrera made repeated specific claims confirming cooperation between Cuban officials and the Colombian cartels. His defense counsel has publicly stated that Cabrera offered to arrange a trip under Coast Guard surveillance that would proactively implicate the Cuban government."

"Overwhelming evidence points to ongoing involvement of the Castro dictatorship in narcotrafficking. The Congress remains gravely concerned about this issue and we are deeply disappointed that the administration continues to publicly ignore this critical matter."

We ended our letter to General McCaffrey stating, "We appreciate the opportunity to share these concerns with you and can assure you that further administration inaction on this matter will be met by serious congressional concern as well as investigation as to its cause."

Administration inaction has continued for the over 1 year after this letter.

The letter in reply that we received was a form letter, totally unacceptable. Even more unacceptable has been the continued cover-up of the administration of this evidence and much more that exists directly connecting the Castro regime to the narcotrafficking of cocaine and other deadly substances into the United States. This is a situation that the American people have got to become aware of. The Clinton administration is covering up the connection, covering up the reality of the Cuban dictatorship's cooperation with the drug traffickers, conspiracy with the drug traffickers to import narcotics into the United States. There is a cover-up of this issue by the Clinton administration. Every time that we hear the President and the drug czar and other leaders of this administration talking about this issue, the cover-up continues, the cover-up is intensified, the cover-up is magnified. There is absolute silence with regard to this evidence."

But there is more. There is a spy center, an espionage center in the outskirts of Havana that picks up every single telephone conversation in the eastern United States. The Clinton administration systematically ignores the existence of that espionage center and is doing absolutely nothing about it. It is a Russian espionage center that has remained from before the collapse of the Soviet Union, and the Russians maintain it. Even though the Soviet Union collapsed, that espionage center continues to pose a threat to the national interests of the United States."

It is the Lourdes espionage center. It was built in Cuba, according to a secret agreement between former Soviet and Cuban special services, in the early 1960s. The station is controlled and operated by the GRU, the Russian Military Strategic Intelligence Agency, and establishes a radio and electronic intelligence field over the southeast United States and the Atlantic region, collecting intelligence cyberdata in close cooperation with Russian intelligence stations and field offices, military spy satellites, Navy reconnaissance and Air Force reconnaissance. This information came from a high ranking Russian defector who recently came to the United States."

The main mission of the Lourdes espionage station is registration and penetration through coded and ciphered radio, radio-technical/electronic, micro-waves and cellular signals in the eastern part of the United States, disclosing American nuclear missile submarines' combat patrol routes throughout the Atlantic. The station routinely provides to Moscow's military-political leadership extremely important strategic military and economic, commercial and private information about the U.S. and other countries in the Atlantic Basin."

The station is capable of compromising the United States Government's



secrets, commercial and private communications, monitoring all American military movements throughout the Atlantic region. This is something that was just confirmed. During Desert Storm, in that extraordinary effort led by President Bush and the United States of America in 1990-1991, when this Nation's military demonstrated to the world not only its technological prowess but the genuine superpower status of the United States of America and liberated Kuwait, during Desert Storm in 1991, in the Lourdes espionage center in Cuba, Russian specialists obtained and disclosed to the Iraqis the U.S. military plans of the battle against Iraq, thus directly compromising American and allied troops in Saudi Arabia and in Iraq.

□ 2115

That has been confirmed by a Russian defector. The plant that Castro is running in cooperation with the Russians not only was able to obtain in Desert Storm all of our military plans, but made it available to Saddam Hussein. The same thing without any doubt is happening now with regard to the plans that we have in case we have to go back into Iraq.

And what are we hearing from the Clinton administration with regard to the Russian espionage center in Havana? Nothing.

I see my friend from California here.

Mr. ROHRABACHER. I would just like to commend my colleague for not only this speech, but the diligence that he has shown over the years in alerting us and the American people to what Fidel Castro is all about. I do not know why, but there seems to be a romance with this bearded fascist down there in Havana, and people do not want to admit the horror that he has brought to the people of freedom all over the world. He has been one of the strongest enemies of freedom anywhere in the planet in the last 40 years, and his dirty deeds; you, know I could see back in the 1960s when people were idealist, they would overlook the fact that when he came to power he just cleared jails out and went out and shot people, you know, just summarily executed people; said those were Batista-ites or something. But as time went on, it seems that the liberal left in this country seems to bend over backwards never to acknowledge the wrongdoing of Fidel Castro.

You mentioned, for example, his drug dealings. We know about his drug dealings. I mean, it is clear that this man and his cohorts down there have been involved up to their necks in drug dealings for decades. Robert Vesco, who we know as probably the fellow who went down and organized the modern drug movement in Latin America, where was his headquarters all of these years? It was in Cuba. Yet when we try to confront our administration with facts

about who or where, you know, where are the drugs coming from and who are the kingpins, you never hear Fidel Castro mentioned.

And some of the things you are bringing up tonight about what he has done, and even a few years ago in Desert Storm, that threaten our national security, put the lives of our young men and women in the military at risk; why is it that LINCOLN DIAZ-BALART has to be the one talking to an empty Chamber here and trying to gain the attention of the people of the United States? Where is our administration? Where are the people who are supposed to be watching out for our security? Well, they are making overtures to try to think, well, now is the time we should loosen these restrictions on Castro.

It is beyond me.

Mr. DIAZ-BALART. Mr. Rohrabacher, it is worse than that. Not only are we not hearing anything from our administration, from the Commander in Chief whose responsibility under the Constitution is to protect the security of the American people, not only are we not hearing anything, but in a few days we are going to hear something officially coming from the Pentagon, politically ordered, saying in effect that there is no threat coming from Castro's Cuba.

And what is really sad is that you and I and most of the men and women in this Congress are extraordinary admirers of our men in uniform and our women in uniform, and they are great professionals. But the reality of the matter is that there are sometimes, sometimes examples of undue influence of political decisions made in the White House that are imposed upon the agencies of the executive branch, including the Pentagon.

So I urge, and a number of us have sent in writing our concerns to the Secretary of Defense and the Secretary of State with regard to this upcoming whitewash. This will simply be unacceptable to publicly say that a drug trafficker who maintains that Russian espionage center, and we have not gotten into the nuclear power plants yet, the Soviet-designed nuclear power plants that Castro is doing everything in his power, and he just received a \$350 million line of credit from the Russians to complete less than 200 miles from the United States these Soviet-designed nuclear reactors. Defectors that worked in the initial stages of their construction have sworn here under oath in congressional committees and have stated to our intelligence community that, even beyond the inherent dangers of those nuclear plants, all of which, by the way, of that design have been closed in the former Soviet Union and in the former Communist countries of Eastern Europe. Each of those former Communist countries, now liberated, has shut down those, they are

called DD-440 Soviet nuclear power plants, because of their inherent dangers. But over and above the inherent dangers, defectors have stated that there were so many mistakes made in the initial stages in their construction that they are literally ticking time bombs. And we are hearing absolutely nothing from our administration with regard to those nuclear plants.

I think it is indispensable. I think it is the constitutional duty of the President of the United States to say those plants are not going to become operational, period. Because that madman, that tyrant, if he is able to blackmail the President of the United States with refugees, imagine with Soviet-designed nuclear power plants. We are not only talking about a Chernobyl-type accident possibility, and I have the records in my files that within 72 hours as far north as Washington, D.C. would receive the radiation, the disaster would be without parallel, without precedent in this country. Not only an accident, but an incident manufactured or threatened by the Cuban tyrant with those nuclear power plants. Simply unacceptable. We are not only talking about the Cuban people being wiped out in the case of a Chernobyl, it is less than 200 miles from the United States. We are not talking about Chernobyl in the Ukraine. We are talking about Soviet-designed power plants less than 200 miles from the United States of America.

And where is the administration?

Mr. ROHRABACHER. Well, this administration, if the gentleman will yield, is a horrible record. This is totally consistent with what the administration did the last time we were out on vacation. What did they do? They moved to eliminate the final impediments to any type of trade with Vietnam. This administration which, by the way, has of course been involved in a scandal dealing with campaign donations that may have come from Red China, has done more to eliminate those people, the efforts by people to confront the Red Chinese on their human rights abuses.

So, should we be surprised that in this vicious dictatorship in Cuba that they overlook all of the evil that is so apparent to anyone who gives an honest look at the situation?

You know, I used to think these people were, you know, they just briefed in peace and they were so blinded by some desire for peace, but this is not a desire of peace. This is something pathological that when Communist countries and enemies of the United States are doing these type of things that you have outlined today, that we in some ways should try to befriend them and in some way that the threat to us is going to be less because we are befriend this type of monstrous regime.

Mr. DIAZ-BALART. The gentleman is correct in his analysis. The reality of

the matter is that just a few days ago, March 20, a Fox News Service release which was distributed, I do not know how many newspapers in the United States picked it up, but nevertheless there was a release, a news release specifying this new commitment by the Russians of a \$350 million line of credit to Castro for the completion of the nuclear power plants. This was in the news wires. And reading from that news wire, the scenario could not be more dire.

A nuclear disaster in Cuba that would send a plume of radioactive fallout across Florida and as far as Texas, the likes of which have not been seen since the 1986 accident at Chernobyl in the Ukraine. And it also could not be more plausible, say some Cuba experts now, that Cuba and Russia have announced plans to resume work on two long-stalled nuclear reactors located in the island Nation's western province of Cienfuegos, 180 miles from the United States.

The announcement came in the wake of Russia's decision just a few weeks ago to free up \$350 million in credits offered to Cuba last year.

Quote, "This is a Chernobyl-like disaster just waiting to happen right off of our shores," end quote, said Roger Robinson, former senior director of international economic affairs at the National Security Council. Quote, "Anything could happen given such horrendous deficiencies in design and safety," end quote.

"So concerned is the U.S. Department of Defense," here is the reaction of the administration, "So concerned is the U.S. Department of Defense over the plant's safety that it plans to build a radiation detection facility in Florida that would alert residents" in the United States along the entire Gulf of Mexico and as far north as Washington, D.C. "of leaks from the two reactors."

The 1998 defense budget approved by Congress provides \$3 million for the early warning system. That is not the solution. It is too late. If this warning, if this detection facility ever picks up radiation coming from those Chernobyl-style plants, it is too late. They cannot be permitted to come on line.

I would ask the gentleman from California, knowing of his leadership and his interest in the national security of our country to join me in forming a coup de grace caucus in this Congress to educate our colleagues with regard to these nuclear reactors, the first one that is scheduled to come on line being at Hidalgo that Castro was so desperate to complete. We have to educate our colleagues and the American people with regard to the fact that those nuclear power plants are being systematically ignored by the Clinton administration and that we in Congress, since the administration is not doing anything about it, we cannot let them come on line.

Mr. ROHRBACHER. I would gladly join with my colleague from Florida, and let me just say that if we are committed to protecting our people from this nuclear catastrophe that could happen, we have the means to prevent this from happening. We have the leverage on the former Soviet Union now. They must deal with this issue if we put it on the top of our list in dealing with Russia. And they have no money in Russia. We have the ability, even right now with just a concerted economic commitment, to tell the Russians they will not do this or we will bring them down, and we could do that even with our economic power. And for us to sit by and let them just transfer this \$300 million nuclear plant is unconscionable.

And again it is commendable that you, like Paul Revere, are riding through the dark, warning of the coming danger, and the American people have got to wake up. They cannot be lulled to sleep by the images of an old man with a gray beard meeting with the Pope. This is not an old man with a gray beard meeting with the Pope. This is the Pope, unfortunately, meeting with Satan.

I mean, Fidel Castro has committed every evil that we can imagine on this planet, and the fact that he is willing to put nuclear reactors that are unsafe for his own people and put them on his island threatening the existence of every man, woman, and child on his island shows you the evil that is still in his heart.

There is nothing that motivates Fidel Castro except the hatred of the United States of America, and he is willing to sacrifice even the lives of every man, woman, and child on his island.

□ 2130

Mr. DIAZ-BALART. I thank the gentleman from California, and we will work very intensely in the coming months on this caucus in the Congress to educate our colleagues and the American people with regard to simply the unacceptable reality of the construction of those plants and that they cannot be completed.

With regard to the point made by the gentleman from California with regard to Castro's hatred of the United States, just the day before yesterday, a dear friend of mine, a former Cuban political prisoner, spoke by phone with one of the most respected and leading dissidents inside of Cuba.

There is an extraordinary story going on unreported in Cuba. I have a list of 500 activists in my office, in the streets of Cuba, in all the provinces who are disarmed, and they are seeking, they are fighting for democracy day in and day out peacefully, in the midst of that totalitarian system and suffering extraordinary repression.

Of course, there are thousands in prison. But just the day before yesterday,

perhaps one of the most respected of those dissidents, a young lawyer, 33 years old, who we in this Congress nominated for the Nobel Peace Prize when he was in prison last year, and the gentleman from California joined in that petition to the Nobel Peace Prize Commission, because that young man certainly deserved it, and we hoped to see if we could help him in his physical integrity and protection while he was a political prisoner last year. He has now been released.

He was able to speak to a former political prisoner and very good friend of mine the day before yesterday. I would like to read the remarks and answers in his reply to the questions posed by this gentleman who is now in exile, because one of the points he makes is precisely about Castro's hatred for the United States.

But if I may, Mr. Speaker, the question was, what is Leonel Morejon Almagro, this renowned and respected dissident, what is he doing presently for his country?

"We are working," he answered. "Working and asking God to end this nightmare. We continue working on the plebiscite; we have a good number of signatures." Under the Cuban Castro constitution, theoretically, you can put something on the ballot if you have 10,000 signatures. Of course, they never recognize those signatures. He is working on that. He is thrown in jail on that, but nevertheless, he is working on it, trying to find unity, a consensus of the people to achieve something important in this country.

In everything else, trying to grow each day in the people, which is what is vital, to be able to perform a civic action that has real repercussions and can create a movement with the strength of the people, to make the government sit down and talk to us. Or to change the political map of the country. That or any other project that can bring about a consensus among the opposition, and in the end mobilize the masses of the people, the opposition, the dissidents with a common goal. That is the solution. I believe that revitalizing the Cuban Council at this point is important.

What are the changes that Castro has made?

Castro has made absolutely no change. Please, let us not make mistakes, let us not get happy, let us not have futile fantasies, nor celebrations in vain. Because Castro was very clear in his last speech. In his love to talk and talk, he said the following: "If they lift the embargo, those who are saying that if they lift the embargo we are going to change, we tell them," Castro said that if they lift the embargo, "we will create true socialism."

Please, Castro has not changed in the least. Castro has played a political hand, gentlemen. A pardon, to forgive some people. We are happy because here are our brothers such as Alonso Romero, Omar del Pozo, et cetera. They have not left Cuba, but they are supposed to, they are being held in Villa Marista. Each time a political prisoner is freed, we are happy, but that is not the solution. What do we gain if one political prisoner is released when tomorrow 20 others are arrested? The punishment is still there.



I am threatened with a 20-year prison sentence. They have told me this to my face, that if I continue working for democracy, they will put me away for 20 years. They do not let me speak, they shut me up. How can I possibly believe in a change in Fidel. Do not believe that, because if Castro fools you, then you are really dumb.

Question: How do you see the U.S. capitalist sectors who wish to invest in Cuba?

Until now, the United States has, more or less, been able to hold back Americans from investing in Cuba. I think that if they allow this to happen, this would be a great lack of respect toward the Cuban people. Not only do they want to invest in Cuba, they want to come here for the "mulatta," to be with the "Caribbean mulatta" or the tanned boy. The investors who are already in Cuba are paying trifles. We are like the Indians. They are buying us with necklaces, with glass beads. That is immoral. It is indignat.

If they are able to achieve their wishes of investing, where does that leave us; where does that leave the Cuban people who have been kicked around for years, insulted; where does that leave the people who have suffered beatings, the disrespect, the intolerance? Where does that leave us?

I believe in democratic capitalism, in the one that helps man. If they come here to invest, it is going to be a disaster, because the Cuban people are not ready at this time, under these circumstances. Because the Cuban people are a slave people. The Cuban people are slaves.

And under those conditions we cannot win, because nobody who respects himself, for a little bag at the end of the month and for \$148 a year is going to work in this country, nobody is going to do it. And those who do it are unhappy doing it.

For this country to take off economically, there needs to be economic freedom. Cubans have to be able to invest. The people need to live. The people need to prosper, the people need to be able to buy a car when they want to, save money whenever they want to, and Castro is not going to allow that, because that is the way to losing power. Because for Castro to remain in power, he needs the CDR, the Committees for the Defense of the Revolution, militants among the youth, among the party. He needs to have the people hungry and the people under control.

Everyone knows that I am in favor of the Helms-Burton law.

We are talking about a brave man, talking by telephone to the United States. Everyone knows that. He says that he is in favor of the Helms-Burton law.

What I want is for Castro and the Cuban Government to give my people rights, to me, to my daughter, to my wife, and everyone.

The embargo is not a Cuban problem. I remember when I was in high school, in 12th grade. During that time, petroleum was being thrown away. Petroleum and gasoline were wasted, were used for no reason. Because 13 million tons were received each year. There was too much for an island such as this. To the point that oil was sold to Nicaragua, to Africa, and the Caribbean.

At that time, Fidel Castro didn't even remember the embargo. My God, it is not a blockade problem. Fidel Castro uses it as a shield, but when Castro does not have an embargo, he is going to have a conflict with the United States to say, well, the gringos lifted the embargo, but now we cannot leave our one party, nor can we abandon socialism.

And then he will say to those who come to invest that they have to be very careful, because they are our eternal enemies. The speech will then be that it is a strategy to threaten him, Castro. It is a strategy so that we open up and lose power. And then he will ask more than ever not to lay down arms. They will celebrate the lifting of the embargo as a political victory, and everything will remain the same.

Question: What policy should be followed?

Until there is a real opening in democratic Cuba, until we have the possibility of publicly debating the country's problems, until there is the possibility for real change, there can be no softening of the sanctioning of the government, with regard to the pressure on the government, acting as though it were a normal government. If the embargo is lifted, we are lost. It will be a great defeat for the country.

Question: In Europe they say that if the embargo is lifted, Castro will be forced to make changes.

No, not true. The economic avalanche will not have any effect because, in Cuba, there is no will for change. There is no entrepreneurial spirit in the regime. The economic avalanche, whatever it may be, is going to be calculated, controlled by the government. Precisely to avoid change. Because the Cuban people are under a strong economic, political and social control.

The world may open up for Castro, but Castro is not going to open up for the world. Because Castro is only going to open up to his interests or for the benefit of the Communist Party's interests.

Tomorrow the blockade or embargo can be lifted, and the Europeans want to invest in Cuba. But to invest in Cuba, they need to go through the government's commercial filters, because in Cuba there is no commercial freedom, it does not exist in an external or internal sense.

In Cuba, every internal investment needs to go through a commission which decides what is going to be done. Foreign investors cannot meet with Cuban partners.

What do you think motivates those who wish to save Castro? The underlying envy of Europe and the rest of the Americas towards the United States. Castro has utilized that very well. They see Castro as the symbol of anti-Americanism, the anti-yankee, and they want to save him. They want to save his legend.

But Castro has used that legend to hurt the Cuban people, to hurt you, and to hurt me. I cannot have a normal life. What I want most is to enjoy my life. I do not want to be president or even a councilman from Marianao.

What I want is democracy in Cuba. Then after that, I want to write poetry, study piano, I want to travel, I want to study ecology, dedicate myself to my wife and to my daughter. I want to dream. I want to write a book. I want to live, damn it. And that is impossible in Cuba, just impossible.

I am not a politician. What I am is an idealist. And, in Cuba, one cannot live. It is impossible. Because, in Cuba, one cannot live under this system. In Cuba, our dreams have been castrated, there is a castration of the Cuban youth.

What do you recommend be done at this time?

It is necessary to help the opposition. The opposition needs real and concrete help, not just in heart and soul, it is needed in every

sense. Much can be done, but there are too few resources for everything. There is nothing here. There is not even a Crayola to paint.

The Cuban Council is hope. And what people do is flee, leave the country. That takes away from us. It takes away from us and we leave the solution in the hands of that man, of this man who is a monster, who is delirious, who is paranoid, a lunatic, whatever he is. Who has ruined our lives, who has ruined my life.

Are you scared of anything?

Yes, I am. I do not want to walk alone at night. I am worried because my wife is very nervous, due to threats I have received. I do not want a bus to mysteriously run over me. I am 33 years old, I do not want to be crucified. I aspire to live the happiest moment of my life, the moment of meeting again with you, with the good that you are, not the bad. The good that can be found in Cuba, to meet again and breathe, breathe in a free country. I want that. That will be the happiest moment of our lives.

I have a 6-year-old daughter. I sleep in one room with my wife and my daughter. She is growing. And I would like to offer her a better life. I am an attorney, I did well in my career, the time that I was working. I lost my career, I lost the possibility of practicing because I thought, and I think, that it was my duty as a man to tell the truth in court and not remain quiet before injustice. I have lost, not lost, but gained years lived in prison, because they have given me the honor of being able to tell my daughter and my grandchildren tomorrow that I suffered in prison for opposing Castro.

I do not want to lose my life, but if I have to lose it, I'd do it happily to destroy a hateful dictatorship in my country. But truly I want to live. I want to live. I want to be able to live. Look, in Cuba, one does not live, people leave Cuba because you cannot live here.

In Cuba, there is no future. Cuba is a country condemned to a totally indecent present. A hateful present. And somebody has to do it. It is my place to speak in the name of those Cubans who are afraid, very afraid, who have many responsibilities, what they cannot say.

Is there hope?

In Cuba, there are thousands of people who are waiting for the opportunity. We can really destroy this in a matter of months, but we need to see the formula. What the people need to understand is that the solution is within us. Let us see how we get there. I have been trying to figure out how to do it. But we have on top of us the entire intelligence apparatus. We are a people controlled by the yoke.

What is the future of the Cuban opposition?

I can guarantee you something. Perhaps tomorrow we cannot call upon a million people to show strength among the people, but I can tell you that no matter what they do to us, they will not be able to get rid of us, to eliminate us. The Cuban opposition was born, grew, and here to stay. Fall who may, and do what they do, we will be here.

What would you say to those who wish to invest while Castro is still in power?

We have to tell them not to get desperate to invest in Cuba because they will lose more investing today than waiting for tomorrow. They should invest in a country with full economic rights and guarantees.

That is the message that we have to give the Americans who are dying to invest in

Cuba. We have to tell them to remain calm. They will have opportunities to invest in a country that really has economic potential, with security, and peace. Because Cuba right now is a time bomb, because a people such as this, is not going to, even if it is dormant, even if it is in a long lethargy difficult to wake from, it is not going to resign itself to live as slaves. Because Cuba, at this time, is a country of people who are tired and sodomized. Castro has simply sodomized the Cuban people.

And we must tell those investors not to get desperate, help more by pressuring the government, more so that it opens up, more to make a safe society, a pluralistic society, a society with all its social dynamics, its freedom, and its capabilities open so that they may prosper.

Leonel Morejon Almagro, from Cuba, the national coordinator of the umbrella of 140 dissident and independent press and professional and workers organizations. This is the Cuban people speaking.

In addition to that, you know that the three Cuban American Members of Congress, both Republicans and Democrats speak like this man speaks, because we know what the Cuban people feel.

Our friends in Congress here, who are all of you, coincidentally, who are here this evening, from both parties, the friends of the Cuban people respect the Cuban people and want free elections for the Cuban people, and they listen to the Cuban people's representatives like Leonel Morejon Almagro. I thank the representatives.

On behalf of Leonel Morejon Almagro and the Cuban people, I thank the representatives of the American people and the American people for standing on the side of Cuba's right to be free.

□ 2145

Mr. ROHRBACHER. Mr. Speaker, if the gentleman will yield, I think that it is vital that we understand that if we do what is right now, and we have the courage, as this man suggested in the reading, that we discipline ourselves and not rush in to try to invest in Cuba before Castro is gone.

Castro will some day be gone, whether it is natural causes or otherwise, and the Cuban people will have a chance to be free. But I fear that American businessmen, as they are doing in China and as they are doing in other dictatorships, are rushing not to try to have a positive influence, but instead, are looking at the quick buck and are establishing economic ties with these totalitarian regimes which will give life to those regimes.

In other words, I believe that once American businessmen invest in Cuba, we will find that Communist Cuba has a whole new group of advocates in the United States, as we have seen in China, as we have seen people who are supposed to be talking about democracy in China because they are Americans and they are investing in China and up spending all of their time trying

to do what? Trying to lobby us not to be tough on China because of the abuses of human rights there. This same thing could happen in Cuba.

Mr. DIAZ-BALART. Mr. Speaker, reclaiming my time, at the very least, even though we have not been able to prevent what I personally consider an immoral policy with regard to the Chinese Government, because the real matter is that the Chinese Government uses slave labor and the multinational corporations are investing in that market and benefiting from the slave labor of the Chinese people. We have not been able to stop that because it is a billion people and it is too strong for us to have stopped it.

But at the very least we can say in this hemisphere, this is a hemisphere of democracy and this is a hemisphere of freedom and the Cuban people are not the only people that should be condemned to live in tyranny in this hemisphere; no, they deserve to be free.

Mr. Speaker, I thank the gentleman from Florida (Mr. BILIRAKIS), the gentlewoman from New York (Mrs. MALONEY), the gentleman from New Jersey (Mr. PALLONE), my colleagues that are here. They are representative of the overwhelming majority of the Congress of the United States in both parties who stand with the right of the Cuban people to be free.

We are, in the next few days, going to celebrate the 100th anniversary of the resolution passed by this Congress that said Cuba is and it ought to be free and independent, as we told the Spanish colonialists, who invented the concentration camp under General Wahler. By the way, interestingly enough, Castro's father was sent to Cuba to fight the Cuban insurrection as a Spanish soldier under General Wahler and General Wahler invented the concentration camp, and he put entire segments of the Cuban population in concentration camps to defeat the insurrection.

Mr. Speaker, it was the American people, and the American people alone, that stood with the Cuban people, and Cuba was free and independent. The United States withdrew from Cuba after helping the Cuban people defeat Spanish colonialism in 1888 and the United States withdrew in 1902.

The relationship between Cuba and the United States has always been friendly, except for this madman who represents the anti-Cuba and who will soon be gone from the face of the Earth and will be in the dust bin of history.

I thank the Congress of the United States; I thank the leaders who are here who represent the majority opinion of the Congress and of the American people, and I thank the American people for time after time after time standing with freedom, standing with democracy, two times in this century, saving the world from tyranny. This is a noble people, and what an honor to be able to stand in this Congress of this

great Nation of the United States of America.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BERRY (at the request of Mr. GEPHARDT) for today, on account of attending a funeral in the district.

Mr. BRYANT (at the request of Mr. ARMEY) for today, on account of his wife's surgery.

Mr. ROGERS (at the request of Mr. ARMEY) for today, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. STENHOLM) to revise and extend their remarks and include extraneous material:)

Mr. STENHOLM, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

(The following Members (at the request of Mr. LEWIS of Kentucky) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes each day on March 30, 31, and April 1.

Mr. TIAHRT, for 5 minutes, today.

Mr. SAXTON, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. LEWIS of Kentucky, for 5 minutes, today.

Mrs. MORELLA, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. STENHOLM) and to include extraneous matter:)

Mr. KIND.

Mr. MENENDEZ.

Mr. STOKES.

Mr. HOLDEN.

Mr. EVANS.

Mr. McDERMOTT.

Mr. SERRANO.

Ms. SLAUGHTER.

Ms. LOFGREN.

Mr. BLAGOJEVICH.

Mr. KLINK.

Mr. LANTOS.

Mr. VENTO.

Mr. ENGEL.

Mr. SCHUMER.

Mr. DELAHUNT.

Mr. VISCLOSKEY.

(The following Members (at the request of Mr. LEWIS of Kentucky) and to include extraneous matter:)

Mr. WALSH.

Mr. FRELINGHUYSEN.



Mr. ARMEY.  
Mr. HAYWORTH.  
Mr. GILMAN.  
Mr. BEREUTER.  
Mr. PORTER.  
Mr. MICA.  
Mr. FRANKS of New Jersey.

#### ADJOURNMENT

Mr. METCALF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Monday, March 30, 1998, at 12:30 p.m., for morning hour debates.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

8273. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin; Assessment Rate and Establishment of Late Payment and Interest Charges on Delinquent Assessments [Docket No. FV97-930-1 FIR] received March 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8274. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Voluntary Shell Egg Regulations [Docket No. PY-97-003] received March 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8275. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Extension of Tolerance for Emergency Exemptions [OPP-300630; FRL-5779-1] (RIN: 2070-AB78) received March 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8276. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Drug Products Containing Quinine for the Treatment and/or Prevention of Malaria for Over-the-Counter Human Use [Docket No. 94N-0355] received March 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8277. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants Emissions: Group IV Polymers and Resins [AD-FRL-5988-5] (RIN: 2060-AH47) received March 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8278. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plan; Colorado; PM10 and NOx Mobile Source Emission Budget Plans for Denver, Colorado [CO-001-0022 and CO-001-0023; FRL-

5981-4] received March 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8279. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that State has Corrected the Deficiency; State of California; San Joaquin Valley Unified Air Pollution Control District [CA 207-0068b; FRL-5987-3] received March 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8280. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Oregon [OR-69-7284a; FRL-5984-7] received March 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8281. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans and Redesignation of California's Ten Federal Carbon Monoxide Planning Areas [CA 041-0067b; FRL-5983-9] received March 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8282. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Arizona State Implementation Plan Revision, Maricopa County [AZ 059-0011; FRL-5988-9] received March 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8283. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to Reporting Regulations Under TSCA Section 8(d) [OPPTS-42188B; FRL-5750-4] (RIN: 2070-AD17) received March 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8284. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Emission Standards for Locomotives and Locomotive Engines [FRL-5939-7] (RIN: 2060-AD33) received March 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8285. A letter from the Interim District of Columbia Auditor, District of Columbia, transmitting a copy of a report entitled "District's Department of Public Works Improperly Collected and Retained Millions in Parking Ticket Overpayments," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform and Oversight.

8286. A letter from the Acting Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting the Department of the Army's Civil Works Program Strategic Plan FY 1999–FY 2004, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

8287. A letter from the Acting Comptroller General, General Accounting Office, transmitting a monthly listing of new investigations, audits, and evaluations; to the Committee on Government Reform and Oversight.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. ARCHER: Committee on Ways and Means. H.R. 2400. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with an amendment (Rept. 105-467 Pt. 3). Referred to the Committee of the Whole House on the State of the Union.

Mr. LIVINGSTON: Committee on Appropriations. H.R. 3579. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105-469). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Mr. LIVINGSTON: Committee on Appropriations. H.R. 3580. A bill making supplemental appropriations and rescissions for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105-470). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 5 of rule X, the Committee on the Budget discharged for further consideration H.R. 2400 referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EVANS (for himself, Mr. KENNEDY of Massachusetts, Mr. FILNER, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. DOYLE, Mr. MASCARA, Ms. CARSON, Mr. REYES, and Mr. RODRIGUEZ):

H.R. 3571. A bill to amend title 38, United States Code, to extend through December 31, 2001, the period for the provision of priority health care to Persian Gulf War veterans; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS (for himself and Mr. KLICK):

H.R. 3572. A bill to ensure the availability of spectrum to amateur radio operators; to the Committee on Commerce.

By Mr. DINGELL (for himself, Mr. MURTHA, and Mr. REGULA):

H.R. 3573. A bill to impose certain limitations on disbursements from the Exchange Stabilization Fund to certain countries, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committees on International Relations, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington:  
H.R. 3574. A bill to permit increased local management and control of Fullbright Park, a city park in the City of Union Gap, Washington, that was purchased in part with monies from the land and water conservation fund; to the Committee on Resources.

By Mr. HASTINGS of Washington:  
H.R. 3575. A bill to preserve the integrity of the Kennewick Man remains for scientific study, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KIND of Wisconsin:  
H.R. 3576. A bill to amend title 31, United States Code, to prohibit the inclusion of legislative provisions and nonemergency spending in emergency appropriation laws; to the

Committee on Government Reform and Oversight.

By Ms. LOFGREN (for herself, Mr. NADLER, Mr. CONYERS, Mr. WATT of North Carolina, Ms. DELAURO, Ms. ESHOO, Ms. HOOLEY of Oregon, Mrs. LOWEY, Mrs. MINK of Hawaii, Mrs. TAUSCHER, Ms. WOOLSEY, Mr. DEFAZIO, Mr. FAZIO of California, Mr. HASTINGS of Florida, and Mr. MILLER of California):

H.R. 3577. A bill to provide parent-child testimonial privileges in Federal civil and criminal proceedings; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. PALLONE, Mr. PAYNE, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, and Mr. TRAFICANT):

H.R. 3578. A bill to provide for a judicial and administrative remedy for disputes arising under certain agreements with foreign entities; to the Committee on the Judiciary.

By Mr. FAZIO of California:  
H. Res. 400. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. COBURN and Mr. GOSS.  
H.R. 8: Mr. ROHRBACHER and Mr. COX of California.  
H.R. 44: Mr. SPENCE.  
H.R. 726: Ms. DELAURO.  
H.R. 775: Mr. KUCINICH and Mr. LUTHER.  
H.R. 815: Mr. JOHN.  
H.R. 1047: Mr. NADLER.  
H.R. 1134: Mr. MURTHA and Mr. DUNCAN.  
H.R. 1151: Mr. LAHOOD, Mr. POSHARD, and Mr. ADAM SMITH of Washington.  
H.R. 1240: Mr. KUCINICH and Mr. SHAYS.  
H.R. 1415: Ms. KAPTUR.  
H.R. 1526: Mr. BEREUTER.  
H.R. 1715: Mr. GEJDENSON, Mr. BILBRAY, and Mr. PETERSON of Minnesota.  
H.R. 1861: Mr. BERMAN.  
H.R. 1951: Mr. KANJORSKI, Mrs. TAUSCHER, and Ms. DEGETTE.  
H.R. 1995: Mr. RAHALL, Mr. PICKETT, and Mr. TOWNS.  
H.R. 2113: Ms. PRYCE of Ohio, Mr. LOBIONDO, Mr. MASCARA, Mr. GOODE, Mr. FRELINGHUYSEN, Mr. PICKERING, Mr. SMITH of Texas, and Mr. ENGEL.  
H.R. 2151: Mr. RANGEL.  
H.R. 2187: Mrs. KELLY.  
H.R. 2224: Mr. MARTINEZ and Mr. GUTIERREZ.

H.R. 2228: Mr. HINCHEY.  
H.R. 2431: Mr. RAMSTAD, Mrs. MORELLA, Mr. HASTINGS of Washington, Mr. ABERCROMBIE, Mr. NORWOOD, Mr. PETERSON of Pennsylvania, Mr. SAXTON, Mr. ROGERS, and Mr. BLAGOJEVICH.  
H.R. 2454: Mr. TRAFICANT.  
H.R. 2457: Mr. TRAFICANT.  
H.R. 2489: Mr. BARCIA of Michigan, Mr. HOUGHTON, Mr. HASTINGS of Florida, Mrs. THURMAN, Mr. HAMILTON, Mr. REDMOND, Mr. ABERCROMBIE, and Mr. BLAGOJEVICH.  
H.R. 2671: Mr. FRANK of Massachusetts.  
H.R. 2789: Ms. RIVERS, Mr. KENNEDY of Massachusetts, Mr. LUTHER, and Mr. PASCRELL.  
H.R. 2792: Mr. ENGLISH of Pennsylvania.  
H.R. 2829: Mr. LAFALCE and Mr. SCOTT.  
H.R. 2840: Mr. ARCHER.  
H.R. 2849: Mr. LAFALCE, Mr. HINCHEY, Mr. FILNER, Ms. SLAUGHTER, Mr. OLVER, Ms. KILPATRICK, Mr. METCALF, Mr. HUTCHINSON, and Mr. BLUMENAUER.  
H.R. 2888: Mr. CASTLE.  
H.R. 3000: Mr. SMITH of Oregon.  
H.R. 3043: Ms. MILLENDER-MCDONALD.  
H.R. 3048: Mr. TORRES and Mr. MARTINEZ.  
H.R. 3107: Mr. GALLEGLY and Mr. STUMP.  
H.R. 3121: Mr. LAMPSON, Mr. RUSH, and Mr. KUCINICH.  
H.R. 3150: Mrs. FOWLER, Mr. GOODLATTE, Mr. BOEHNER, Mr. FROST, Mr. CUNNINGHAM, Mr. FAZIO of California, Mrs. MYRICK, Mr. PEASE, Mr. HILLEARY, Mr. CALVERT, Mr. BLUNT, Mr. ENSIGN, Mr. JENKINS, Mr. CHRISTENSEN, Mr. BOEHLERT, Mr. ADAM SMITH of Washington, Mr. CLEMENT, Mr. METCALF, Mr. SESSIONS, Ms. FURSE, Mr. GOODE, Mrs. KELLY, Mr. GRAHAM, Mr. KING of New York, Mr. EHRLICH, Mr. DEAL of Georgia, Mr. COOK, Mr. GOODLING, Mr. SHAYS, Mr. BLUMENAUER, Mr. BARR of Georgia, Mr. COOKSEY, Mr. LIVINGSTON, Mr. HUTCHINSON, Mr. HALL of Texas, and Mr. CAMP.  
H.R. 3181: Mr. PETERSON of Minnesota.  
H.R. 3206: Mr. MCDADE.  
H.R. 3261: Mr. CAMPBELL.  
H.R. 3269: Mr. DELAHUNT.  
H.R. 3279: Mr. CRAMER and Mr. STENHOLM.  
H.R. 3281: Mr. WHITFIELD and Mr. ROGERS.  
H.R. 3292: Mr. HINCHEY, Ms. LOFGREN, Mrs. CLAYTON, and Mr. KENNEDY of Rhode Island.  
H.R. 3331: Mr. COX of California.  
H.R. 3396: Mr. CLAY, Mr. CALLAHAN, and Mr. LOBIONDO.  
H.R. 3400: Mr. STARK, Mr. RODRIGUEZ, and Mr. GUTIERREZ.  
H.R. 3433: Ms. SLAUGHTER, Mr. SHAYS, Mr. CRANE, and Mr. CAMP.  
H.R. 3462: Mr. BARRETT of Wisconsin.  
H.R. 3475: Mr. ENGLISH of Pennsylvania.  
H.R. 3494: Mr. ENSIGN and Mr. ENGLISH of Pennsylvania.  
H.R. 3503: Mr. BLILEY, Mr. SCHUMER, and Mr. ENGEL.  
H.R. 3514: Mrs. THURMAN and Mr. MCGOVERN.

H.R. 3526: Ms. WOOLSEY and Mr. SHERMAN.  
H.R. 3557: Mr. COOK.  
H.R. 3568: Mr. STARK.  
H.J. Res. 99: Mr. WHITFIELD, Mr. LEACH, and Mr. MASCARA.

H.J. Res. 102: Mr. BISHOP, Ms. BROWN of Florida, Mr. COLLINS, Mr. COOK, Mr. COOKSEY, Mr. CRAMER, Ms. DEGETTE, Mr. DOOLITTLE, Mr. DUNCAN, Mr. EHRLICH, Ms. ESHOO, Mr. GEPHARDT, Mr. GILCHREST, Mr. GREENWOOD, Mr. HALL of Texas, Mr. HASTINGS of Washington, Mr. HEFLEY, Ms. HOOLEY of Oregon, Mr. INGLIS of South Carolina, Ms. JACKSON-LEE, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. MCDADE, Mr. MCINTOSH, Mr. MCKEON, Mr. MARTINEZ, Mrs. MYRICK, Mr. OBEY, Mr. PAYNE, Mr. PITTS, Mr. RANGEL, Mr. SAXTON, Mr. DAN SCHAEFER of Colorado, Mr. STEARNS, Mr. TORRES, Mr. VENTO, Mr. WAMP, Mr. WEYGAND, Mr. WYNN, and Mr. YOUNG of Alaska.

H. Con. Res. 154: Ms. SLAUGHTER.  
H. Con. Res. 203: Ms. MILLENDER-MCDONALD.  
H. Con. Res. 210: Mr. COOK.  
H. Con. Res. 211: Mr. GREENWOOD.  
H. Con. Res. 214: Mr. WAMP.  
H. Con. Res. 228: Mr. PRICE of North Carolina.  
H. Con. Res. 229: Ms. CARSON, Mr. CUNNINGHAM, Mr. DUNCAN, Mr. FROST, Mr. MASCARA, Ms. SLAUGHTER, Mr. TORRES, and Mr. WEYGAND.  
H. Con. Res. 233: Mrs. KELLY and Mr. CALVERT.  
H. Res. 45: Mr. FOX of Pennsylvania.  
H. Res. 212: Mr. CRAMER and Mr. STARK.  
H. Res. 353: Mr. WELDON of Florida, Mr. BONIOR, Mr. HASTINGS of Florida, Mr. ADAM SMITH of Washington, Mrs. MEEK of Florida, Mr. WOLF, and Ms. FURSE.  
H. Res. 387: Mr. TORRES, Mr. STARK, and Mr. ENGEL.  
H. Res. 392: Mr. GILMAN and Mr. KOLBE.

#### DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3 by Mr. BAESLER on House Resolution 259: Lois Capps.

The following Member's name was deleted from the following discharge petition:

Petition 3 by Mr. BAESLER on House Resolution 259: Walter H. Capps.